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25 IN THE UNITED STATES DISTRICT COURT
26 EASTERN DISTRICT OF CALIFORNIA

27 CARLOS QUIROZ, on behalf of himself and all) Case No. 1:17-cv-00444-DAD-BAM
28 similarly situated individuals,)
)
29 Plaintiffs,) **STIPULATION TO DISMISS**
30 v.) **PLAINTIFF RANDY SULLIVAN**
31)
32 CITY OF CERES,)
33)
34 Defendant.)
)
)
)
)
)

35 IT IS HEREBY stipulated by and between the parties that Plaintiff RANDY SULLIVAN
36 dismiss his action against Defendant, CITY OF CERES, in the above-entitled matter, with
37 prejudice. Defendant agrees to waive any right to costs and attorney fees as a result of this
38

1 dismissal.

2 The parties do not intend this dismissal to act as a retraxit with respect to any other
3 plaintiff.

4 Respectfully submitted,

5
6 Dated: September 7, 2018

MASTAGNI HOLSTEDT, APC

7 By: /s/ Ace T. Tate
8 DAVID E. MASTAGNI, ESQ.
9 ISAAC S. STEVENS, ESQ.
10 ACE T. TATE, ESQ.
Attorneys for Plaintiffs

11 Dated: September 7, 2018

LIEBERT CASSIDY WHITMORE

12 By: /s/ Jesse J. Maddox
13 JESSE J. MADDOX, ESQ.
14 MICHAEL D. YOURIL, ESQ.
15 Attorneys for Defendants

16 **ORDER**

17 The parties have stipulated that Plaintiff Randy Sullivan's action against Defendant City
18 of Ceres be dismissed with prejudice pursuant to Federal Rule of Civil Procedure 41. In light of
19 the stipulation, Plaintiff Randy Sullivan's action only against Defendant City of Ceres is
20 terminated by operation of law without further order from the Court. Fed. R. Civ. P.
21 41(a)(1)(A)(ii). The Clerk of the Court is directed to update the docket as necessary and **not**
22 close this action.

23 IT IS SO ORDERED.

24 Dated: September 11, 2018

/s/ Barbara A. McAuliffe
25 UNITED STATES MAGISTRATE JUDGE