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**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

DONNIE CUMMINGS, et al.,	)	Case No.: 1:17-cv-484-LJO- JLT
Plaintiffs,	)	
v.	)	ORDER DIRECTING THE CLERK TO CLOSE
	)	THE ACTION
	)	
CENERGY INTERNATIONAL SERVICES, LLC.,	)	(Doc. 49)
Defendants.	)	

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Defendant Cenergy International Services, LLC and Charles Beaty—the only plaintiff remaining in this action<sup>1</sup>— stipulated to dismiss the claims of Mr. Beaty with prejudice pursuant to Fed.R.Civ.P. 41(a)(1)(A)(ii), under which “the plaintiff may dismiss an action without a court order by filing . . . a stipulation of dismissal signed by all parties who have appeared.” (*See* Doc. 50 at 1-2)

Because all remaining parties signed the stipulation, it “automatically terminate[d] the action.” *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997); Fed.R.Civ.P. 41(a)(1)(A)(ii). Thus, based upon the stipulation of the parties, the Clerk of Court is **DIRECTED** to close this action.

IT IS SO ORDERED.

Dated: August 21, 2018

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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<sup>1</sup> The action initially included the claims of three plaintiffs: Donnie Cummings, Christopher Jones, and Charles Beaty. The claims of Mr. Jones were dismissed on June 15, 2017, when the Court granted the defendant’s motion to dismiss the complaint (Doc. 15), and Mr. Jones was not identified as a plaintiff in the First Amended Complaint. (*See* Doc. 16) Mr. Cummings dismissed his claims on May 29, 2018. (Docs. 48-49) Thus, only the claims of Mr. Beaty remain.