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

DAWN MIGHACCIO,)	Case No.: 1:17-cv-00687-LJO-JLT
)	
Plaintiff,)	[PROPOSED] ORDER CLOSING CASE AS
v.)	TO BLUE STEM BRANDS, INC. D/B/A
)	FINGERHUT ONLY
)	(Doc. 5)
HATFIELD PORTFOLIO GROUP, LLC,)	
et al.,)	
)	
Defendants.)	

On July 11, 2017, the plaintiff filed a notice of voluntary dismissal s to Blue Stem Brands, Inc., DBA Fingerhut. (Doc. 5) Federal Rules of Civil Procedure Rule 41 provides that “the plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment . . .” Fed. R. Civ. P. 41(a)(1)(A). Once such a notice has been filed, an order of the Court is not required to make the dismissal effective. Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is DIRECTED to close this action as to Blue Stem Brands, Inc., DBA Fingerhut **only** in light of the notice of voluntary dismissal without prejudice filed and properly signed pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: <u>July 12, 2017</u>	<u>/s/ Jennifer L. Thurston</u> UNITED STATES MAGISTRATE JUDGE
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