

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

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

STAN SEVERI, et al., ) Case No.: 1:17-cv-0931-AWI- JLT  
 )  
Plaintiffs, ) ORDER CLOSING THE ACTION AS TO  
 ) DEFENDANTS WITALA, CUMMINGS &  
v. ) WARMERDAM  
 ) (Doc. 56)  
COUNTY OF KERN, et al., )  
 )  
Defendants. )  
 )  
 )

---

The plaintiff has agreed to dismiss defendants Danae Witala, D. Cummings and Aaron Warmerdam should be dismissed from this action without prejudice and, in exchange, the defendants will waive their right to seek costs. (Doc. 56) The stipulation relies upon Fed.R.Civ.P. 41, which permits the plaintiff to dismiss a defendant without a court order “by filing . . . a stipulation of dismissal signed by all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). Accordingly, the Clerk of Court is **DIRECTED** to close this action as to Danae Witala, D. Cummings and Aaron Warmerdam.

IT IS SO ORDERED.

Dated: June 6, 2019

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE