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

KIMBERLY WHITEHEAD,  
Plaintiff,  
v.  
LIBERTY LIFE ASSURANCE COMPANY  
OF BOSTON,  
Defendant.

Case No.: 1:17-cv-01204 LJO JLT  
ORDER CLOSING THE CASE  
(Doc. 24)

The parties have stipulated to dismiss the action with prejudice with each side to bear their own fees and costs. (Doc. 24) Federal Rules of Civil Procedure 41 permits the plaintiff to dismiss an action 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). Because all parties who have appeared in the action signed the stipulation (Doc. 79), it “automatically terminate[d] the action.” *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.

IT IS SO ORDERED.

Dated: February 15, 2018

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE