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Attorneys for Defendants BakerCorp and United
Rentals (North America), Inc.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

VERTICAL TANK INC., a California
corporation,

Plaintiff,

v.

BAKERCORP, a Delaware Corporation; and
UNITED RENTALS (NORTH AMERICA),
INC., a Delaware corporation;

Defendants.

Case No. 1:18-CV-00145-LJO-JLT
**STIPULATED DISMISSAL PURSUANT
TO F.R.C.P. 41(a)(1) AND [PROPOSED]
ORDER CLOSING THE CASE**
(Doc. 62)

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Pursuant to Fed. R. Civ. P. 41(a), Plaintiff Vertical Tank Ink. (“VTI”), and Defendants and Counterclaimants BakerCorp and United Rentals (North America), Inc. (“Defendants”), by and through their counsel of record, hereby stipulate that Plaintiff’s claims and Defendants’ counterclaims in the above-entitled matter are dismissed WITH PREJUDICE and subject to the terms of the Settlement Agreement entered into by and between VTI and Defendants, with each party to bear its own costs, expenses and attorneys’ fees.

Respectfully Submitted,

DATED: December 4, 2019

EASTMAN MCCARTNEY DALLMANN LLP
MATHEW C. MCCARTNEY
N. THOMAS MCCARTNEY

By: /s/ N. Thomas McCartney
N. THOMAS MCCARTNEY
Attorneys for Plaintiff
VERTICAL TANK, INC.

DATED: December 4, 2019

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By: /s/ Stanley M. Gibson
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BAKERCORP and UNITED RENTALS
(NORTH AMERICA), INC.

1 **ORDER**

2 The parties have settled their case and have stipulated to the action being dismissed with
3 prejudice. (Doc. 62) The Federal Rules of Civil Procedure Rule 41 makes such stipulations
4 effective immediately with further order of the Court. Because all parties who have appeared in
5 the action signed the stipulation, it “automatically terminate[d] the action.” Wilson v. City of San
6 Jose, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is DIRECTED to close
7 this action.

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9 IT IS SO ORDERED.

10 Dated: December 4, 2019

/s/ Jennifer L. Thurston
11 UNITED STATES MAGISTRATE JUDGE

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JMBM
Jeffer Mangels
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