

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**

UNITED STATES, For the Use of
ROBERTSON’S READY MIX, LTD., a
Partnership,

Plaintiff,

vs.

HEFFLER CONTRACTING GROUP, et al.,

Defendants.

Case No: 1:18-cv-00773-LJO-JLT

**ORDER CLOSING THE CASE AS TO
HEFFLER CONTRACTING GROUP, PATRICK
HEFFLER AND UNITED STATES FIRE
INSURANCE COMPANY**

The parties have stipulated that Heffler Contracting Group, Patrick Heffler and United States Fire Insurance Company should be dismissed from this action with prejudice. (Doc. 12) Federal Rule of Civil Procedure 41 permits the plaintiff to dismiss a party 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 as to Heffler Contracting Group, Patrick Heffler and United States Fire Insurance Company.

IT IS SO ORDERED.

Dated: August 30, 2018

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE