

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

STEVEN D. BOWLES on behalf of
himself and all others similarly situated,

Plaintiff,

v.

LEPRINO FOODS COMPANY, a
Colorado corporation, LEPRINO FOODS
DAIRY PRODUCTS COMPANY, a
Colorado corporation and DOES 1 through
50, inclusive,

Defendants.

Case No. 1:19-cv-00635-JLT-BAM

**~~PROPOSED~~ ORDER OF
DISMISSAL OF PLAINTIFF'S
LAWSUIT WITHOUT PREJUDICE**

//
//
//
//
//
//
//
//

1 On August 21, 2024, the parties in this action filed a stipulation of dismissal of
2 the action without prejudice, with each party to bear their own fees and costs. (Doc.
3 65.) The parties note that final approval was granted in *Vazquez, et al. v. Leprino*
4 *Foods Company, et al.*, Case No. 1:17-cv-00796-JLT-BAM, and that the instant
5 *Bowles* lawsuit is completely subsumed by the *Vasquez* settlement. (*Id.* at 2.) The
6 parties further note that no notice has been provided to the putative class members in
7 the *Bowles* action, that they are unaware of any media attention given to the matter,
8 that there are no rapidly approaching statute of limitation issues, that there are no class
9 interests conceded, and that no notice need be provided to the putative class members
10 as those points were already provided for in the *Vasquez* matter. (*Id.*) The parties state
11 that dismissal of the matter will not prejudice the putative class members as the class
12 claims in this matter have already been approved or resolved in prior cases. (*Id.*)

13 In light of the stipulated dismissal, this action is terminated by operation of law
14 without further order from the Court. Fed. R. Civ. P. 41(a)(1)(A)(ii). This Court
15 VACATES all pending dates and matters, including the status conference set for
16 September 11, 2024. The Clerk of the Court is directed to CLOSE THIS CASE.

17
18 IT IS SO ORDERED.

19 Dated: August 28, 2024

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE