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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

HENDRIK BLOCK,

Plaintiff,

v.

MARVIN L. MACKIN, *as Trustee of THE
MARVIN AND LAVERNE MACKIN
FAMILY TRUST, established January 4,
2012 Doing business as Taco Bell #3171,*
et al.,

Defendants.

No. 1:20-cv-00965-DAD-HBK

ORDER ENTERING JUDGMENT AGAINST
DEFENDANTS AND DISMISSING ACTION

(Doc. No. 6, 8)

On November 13, 2020, plaintiff Hendrick Block filed a Notice of Acceptance with Offer of Judgment under Federal Rule of Civil Procedure 68 (the “Notice”), informing the court that the parties have reached a settlement resolving this action. (Doc. No. 8.) The Notice further states that each party shall bear their own respective costs and attorneys’ fees. (*Id.* at 3.)

Under Federal Rule of Civil Procedure 68(a), a defendant may serve an offer to allow judgment on specified terms to the opposing party at least two weeks before trial. Fed. R. Civ. P. 68(a). The opposing party must accept the offer through written notice. *Id.* Thereafter, “either party may then file the offer and notice of acceptance, plus proof of service.” *Id.*

Here, plaintiff accepted defendants’ Rule 68 Offer of Judgment in writing on November 12, 2020. (*See* Doc. No. 8 at 3.)

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Accordingly,

1. The court hereby enters judgment against defendants and in favor of plaintiff in the amount of \$9,000.00, pursuant to the terms of the Notice filed in this case on November 13, 2020 (Doc. No. 8);
2. Defendants' pending motion to dismiss (Doc. No. 6) motion is terminated as having been rendered moot by this order; and
3. The Clerk of the Court is directed to close this case.

IT IS SO ORDERED.

Dated: December 4, 2020


UNITED STATES DISTRICT JUDGE