

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GEORGE AVALOS, an individual

Plaintiff,

V.

FRESCO MEXICAN GRILL, LLC, ET
AL.

Defendants.

Case No. 1:20-cv-01817-DAD-JLT

**[PROPOSED] ORDER CLOSING THE
CASE**

(Doc. 9)

The parties have stipulated to the action being dismissed with prejudice and with each side to their own fees and costs. (Doc. 9) The Federal Rules of Civil Procedure Rule 41 makes such stipulations effective immediately with further order of the Court. Because all parties who have appeared in the action signed the stipulation (Doc. 22), it “automatically terminate[d] the action.” Smith 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 16, 2021

/s/ Jennifer L. Thurston

UNITED STATES MAGISTRATE JUDGE