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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BOARD OF TRUSTEES OF IBEW
LOCAL 100 PENSION TRUST FUND;
JOINT ELECTRICAL INDUSTRY
TRAINING TRUST FUND,

Plaintiffs,

v.

MICHAEL CHARLES COLE *dba*
MICHAEL COLE ELECTRIC; and DOES
1 through 50,

Defendants.

Case No. 1:21-cv-00750-AWI-EPG

ORDER RE: STIPULATION OF DISMISSAL
WITH PREJUDICE PURSUANT TO FED. R.
CIV. P. 41(a)(1)(A)(ii)

(ECF No. 45).

On January 13, 2023, the parties filed a joint stipulation for dismissal with prejudice, pursuant, and subject to the terms of the written settlement agreement between the parties. (ECF No. 45). In light of the parties' stipulation, this action has been terminated, Fed. R. Civ. P. 41(a)(1)(A)(ii)¹, and has been dismissed with prejudice.

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¹ The caption of the parties' stipulation references Federal Rule of Civil Procedure 41(a)(2), which provides for dismissal "at the plaintiff's request only by court order." Because Defendant filed an answer to Plaintiff's complaint (ECF No. 6), and because the parties' have filed "a stipulation of dismissal signed by all parties who have appeared," dismissal is appropriate under Rule 41(a)(1)(A)(ii). *See* Fed. R. Civ. P. 41(a)(1)(i)-(ii).

