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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

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JANETT HENDRICKS,

No. 2:03-cv-000148-GEB-AC

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Plaintiff,

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v.

DISMISSAL ORDER

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FACTORY 2-U STORES, INC.,

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Defendant.

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In response to the April 1, 2013 Order that directed the parties to "explain the status of the bankruptcy proceedings," Plaintiff filed a Status Report on April 12, 2013, in which she states:

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Plaintiff's counsel, Charles E. Bauer, has discussed this matter with counsel for defendant FACTORY 2-U STORES, INC., and they are in agreement that the bankruptcy of defendant has discharged all of its debts and liabilities, including any liability which may have existed in this matter. Plaintiff's counsel is preparing a stipulation and order for dismissal which should be filed within the next week.

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(Pl.'s Status Report, ECF No. 17.)

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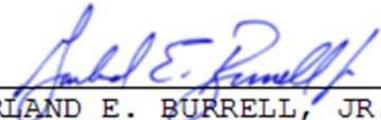
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No stipulation and order for dismissal has been filed. However, in light of the parties' agreement, this action is dismissed. See Eitel v. McCool, 782 F.2d 1470, 1472-73 (9th Cir. 1986) (affirming a district court's dismissal of an action under Federal Rule of Civil Procedure 41(a)(1)(ii), stating "[t]he

1 court reasonably concluded that the parties had the requisite
2 mutual intent to dismiss the action" based upon "their
3 representations to the court").

4 Dated: March 27, 2014

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GARLAND E. BURRELL, JR.
Senior United States District Judge