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18 **UNITED STATES DISTRICT COURT**
19 **EASTERN DISTRICT OF CALIFORNIA**
20 **SACRAMENTO DIVISION**

21 FIDELITY BROKERAGE SERVICES LLC,) CASE NO. 2:12-cv-01608-MCE-CKD
22 a limited liability company,)
23 Plaintiff,) **JOINT RESPONSE TO ORDER TO SHOW**
24 v.) **CAUSE AND STIPULATED REQUEST**
25 ERIC SAVELL, an individual,) **FOR DISMISSAL; ORDER OF DISMISSAL**
26 Defendant.)
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Plaintiff Fidelity Brokerage Services, LLC’s (“Fidelity”), through its counsel, M. Taylor Florence, and Defendant Eric Savell (“Savell”), through his counsel of record, Jeffrey K. Compton hereby agree and stipulate as follows:

WHEREAS, the dispute between the parties resolved through informal and confidential resolution on or about October 25, 2012 pursuant to which Fidelity was to dismiss this action against Savell in consideration for mutual promises and releases made by both parties, following the entry of a Stipulated Award by FINRA;

WHEREAS, FINRA issued the Stipulated Award on or about December 20, 2012; and

WHEREAS, due to an administrative oversight, Fidelity did not request an order dismissing the action following the issuance of the Stipulated Award.

IT IS HEREBY REQUESTED THAT the Complaint on file in this action and all claims for relief be dismissed with prejudice pursuant to Federal Rules of Civil Procedure Rule 41(a), each party to bear their own fees and costs.

Dated: February 6, 2014

LOCKE LORD LLP

/s/ M. Taylor Florence

By: _____

M. Taylor Florence
Attorney for Plaintiff
FIDELITY BROKERAGE SERVICES LLC

Dated: February 6, 2014

MARKUN ZUSMAN FRENIERE & COMPTON
LLP

/s/ Jeffrey K. Compton

By: _____

Jeffrey K. Compton
Attorney for Defendant
ERIC SAVELL


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ORDER

IT IS HEREBY ORDERED that the Complaint and any all claims for relief of Plaintiff FIDELITY BROKERAGE SERVICES LLC in Case No. 2:12-cv-01608-MCE-CKD filed in the U.S. District Court for the Eastern District of California are hereby DISMISSED WITH PREJUDICE pursuant to Federal Rules of Civil Procedure Rule 41(a), each party to bear their own fees and costs.

IT IS SO ORDERED.

Dated: February 18, 2014



MORRISON C. ENGLAND, JR., CHIEF JUDGE
UNITED STATES DISTRICT COURT