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7 **IN THE UNITED STATES DISTRICT COURT**
8 **EASTERN DISTRICT OF CALIFORNIA**

9 PROGRESSIVE DIRECT INSURANCE
COMPANY,

10 Plaintiff,

11 v.

12 UNITED STATES OF AMERICA,

13 Defendant.
14

CASE NO. 2:14-cv-02687-MCE-KJN

**STIPULATION AND ORDER OF
DISMISSAL**

15 On June 27, 2016, the parties filed a stipulation of dismissal pursuant to Federal Rule of Civil
16 Procedure 41(a)(1)(A)(ii), providing that this matter be dismissed with prejudice with each side to
17 bear its own fees and costs. (*See* Dkt. No. 14). Thus, the parties hereby stipulate and propose that
18 the Court enter an Order vacating all dates in this matter and dismissing this case with prejudice.

19 Respectfully submitted,

20 DATED: June 27, 2016

PHILLIP A. TALBERT
Acting United States Attorney

21 By: /s/ Gregory T. Broderick
22 GREGORY T. BRODERICK
Assistant United States Attorney

24 DATED: June 27, 2016

25 By: /s/ Mark Nivinskus (authorized 6/27/2016)
26 MARK R. NIVINSKUS
Attorney for Plaintiff Progressive Direct
Insurance Company

1 **ORDER**

2 Based on the parties stipulation, and pursuant to Federal Rule of Civil Procedure 41(a), IT IS
3 HEREBY ORDERED THAT:

- 4 1. All dates in this matter are hereby vacated; and
5 2. This action is dismissed with prejudice, each side to bear its own fees and costs.
6 3. The Clerk of Court shall close the file since the matter is now concluded in its entirety.

7 **IT IS SO ORDERED.**

8 Dated: June 29, 2016

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10 MORRISON C. ENGLAND, JR.
11 UNITED STATES DISTRICT JUDGE
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