

1 PHILLIP A. TALBERT  
 United States Attorney  
 2 GREGORY T. BRODERICK  
 Assistant United States Attorney  
 3 501 I Street, Suite 10-100  
 Sacramento, CA 95814  
 4 Telephone: (916) 554-2700  
 Facsimile: (916) 554-2900

5 Attorneys the United States

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

9 NATISHA GATLIN,  
 Plaintiff,  
 10  
 v.  
 11 ROBERT MCDONALD, SECRETARY OF  
 THE DEPARTMENT OF VETERANS  
 12 AFFAIRS; ET AL.,  
 Defendants.  
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CASE NO. 2:15-CV-00377-JAM-CKD

**STIPULATION TO DISMISS ACTION AND  
 ORDER ENTERING JUDGMENT FOR  
 DEFENDANTS**

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 15 Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), Plaintiff Natisha Gatlin and  
 16 Defendant Robert McDonald, Secretary of the Department of Veterans Affairs, hereby stipulate to  
 17 dismissal of this action in its entirety against all defendants with prejudice, each party to bear its own  
 18 costs, and request that the Court order judgment entered for defendants pursuant to that dismissal.  
 19 Federal Rule of Civil Procedure 41(a)(1)(A)(ii) provides for voluntary dismissal of an action by the  
 20 Plaintiff without a court order upon filing of a stipulation signed by all parties who have appeared.<sup>1</sup> This  
 21 stipulation is signed by all parties who have appeared. An order recognizing the dismissal and ordering  
 22 the entry of judgment is attached for administrative convenience, and the parties stipulate to its adoption.

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 24 <sup>1</sup> Rule 41 provides:

(a) **Voluntary Dismissal.**

(1) **By the Plaintiff.**

(A) *Without a Court Order.* Subject to Rules 23(e), 23.1(c), 23.2, and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

- 27 (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or
- 28 (ii) a stipulation of dismissal signed by all parties who have appeared.

1 Respectfully submitted,

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PHILLIP A. TALBERT  
United States Attorney

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4 Dated: December 28, 2016

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

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BENJAMIN LAW GROUP, P.C.

8 Dated: December 28, 2016

By: /s/ Na'il Benjamin (authorized 12/28/2016)  
Attorney for Plaintiff Natisha Gatlin

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**ORDER**

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Based on the parties' stipulation, and pursuant to Federal Rule of Civil Procedure 41(a), IT IS

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HEREBY ORDERED THAT:

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1. All dates in this matter are hereby vacated;

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2. This action is dismissed in its entirety and with prejudice as to all defendants;

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3. Each side shall bear its own fees and costs; and

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4. Judgment shall be entered for defendants.

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**IT IS SO ORDERED.**

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Date: 12/28/2016

/s/ John A. Mendez  
HON. JOHN A. MENDEZ  
United States District Court Judge

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