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12 On the Counter-Claim

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19 Van Eerden Trucking Company, Inc

20
 21 UNITED STATES DISTRICT COURT
 22 EASTERN DISTRICT OF CALIFORNIA
 23

24 LAWRENCE S. YOAKUM, DANIELLE
25 YOAKUM, SHELBY A. YOAKUM,

26 Plaintiffs,

27 v.

28 MICHELLE A. PERYSIAN, VAN
EERDEN TRUCKING COMPANY, INC.
and DOES 1 through 25. inclusive.

CASE NO.: 2:15-cv-02508-MCE-AC

STIPULATION AND ORDER OF
DISMISSAL WITH PREJUDICE

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Defendants

VAN EERDEN TRUCKING COMPANY,
INC.,

Counter-Claimant,

v.

LAWRENCE S. YOAKUM,

Plaintiff.

1. WHEREAS, plaintiffs Lawrence S. Yoakum, Danielle Yoakum and Shelby A. Yoakum have agreed to dismiss this action in its entirety with prejudice, under Federal Rules of Civil Procedure, Rule 41(a)(1); and

2. WHEREAS, the parties to this action have duly executed a Settlement Agreement and Full Release of all Claims; and

3. WHEREAS, the parties to this action agree that each side is to bear its own costs and attorney’s fees in this matter;

4. WHEREAS, notice of settlement was duly filed with this Court (Doc. No. 17), pursuant to Local Rule 160 and 272 and the Court issued its Minute Order providing that dispositional documents are to be filed on or before March 15, 2017 (Minute Order, Doc. No. 18);

5. WHEREAS, plaintiffs erroneously filed on March 7, 2017, a Notice of Dismissal without prejudice (Doc. No. 19);

6. The parties to this action agree and hereby stipulate, through their respective attorneys, that plaintiffs and counter-claimant dismiss their actions in their entirety with prejudice, each side bearing its own costs.

DATED: March 8, 2016

BOLLING & GAWTHROP

By: /s/ John P Coleman
John P. Coleman, Esq.

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DATED: March 8, 2016

CLAYEO C. ARNOLD

By: /s/ John Stralen
John T. Stralen

DATED: March 8, 2016

POWERS & MILLER

By: /s/ Gordon W. Bowley
Gordon W. Bowley Esq.

ORDER

Having considered the foregoing stipulation of the parties, and good cause appearing, the above entitled action is hereby dismissed, with prejudice, each side to bear its own costs. The having now been concluded in its entirety, the Clerk of Court is directed to close the file.

IT IS SO ORDERED.

Dated: March 13, 2017


MORRISON C. ENGLAND, JR.
UNITED STATES DISTRICT JUDGE