

1 41(a)(1)(A)(i). However, defendants may choose to stipulate to dismissal without prejudice
2 pursuant to Rule 41(a)(1)(A)(ii). Should defendants decline to stipulate as such, the court may
3 dismiss this action based upon plaintiff's request, "on terms that the court considers proper." Fed.
4 R. Civ. P. 41(a)(2).

5 Accordingly, it is ORDERED that no later than June 28, 2017, defendants shall file and
6 serve a document stipulating to dismissal of this action without prejudice pursuant to Rule
7 41(a)(1)(A)(ii),¹ or otherwise respond to plaintiff's motion.

8 DATED: June 21, 2017.

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10 EDMUND F. BRENNAN
11 UNITED STATES MAGISTRATE JUDGE
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28 ¹ In the event defendants so stipulate, the court will construe the parties' filings as
stipulation of dismissal for voluntary dismissal without prejudice pursuant to Rule 41(a)(1)(A)(ii).