

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES - GENERAL

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Case No. 2:14-cv-02874-CAS(JCGx) Date June 2, 2015

Title WILLIAM LAWSON, ET AL. v. LYDIG CONSTRUCTION, INC.

Present: The Honorable CHRISTINA A. SNYDER

Catherine Jeang

Not Present

N/A

Deputy Clerk

Court Reporter / Recorder

Tape No.

Attorneys Present for Plaintiffs:

Attorneys Present for Defendants:

Not Present

Not Present

Proceedings: (In Chambers) PLAINTIFFS’ MOTION TO VOLUNTARILY DISMISS JACQUELINE LAWSON (Dkt. No. 45, filed April 28, 2015)

The Court finds this motion appropriate for decision without oral argument. See Fed. R. Civ. P. 78; C.D. Cal. Local Rule 7-15. Accordingly, the hearing date of June 15, 2015, is vacated, and the matter is hereby taken under submission.

On October 16, 2013, William Lawson and Jacqueline Lawson filed this lawsuit in the United States District Court for the Northern District of Illinois against Lydig Construction, Inc. Dkt. No. 1. William Lawson alleges claims for negligence and premises liability stemming from an accident that occurred while he was working on a construction project, and Jacqueline Lawson alleges two claims for loss of consortium. See generally id. The case was transferred to this district on April 9, 2014. Dkt. No. 18. On April 28, 2015, counsel for plaintiffs filed a motion to dismiss Jacqueline Lawson from this lawsuit pursuant to Federal Rule of Civil Procedure 41(a)(2). Dkt. No. 45. The motion represents that the two plaintiffs, who were married when the accident giving rise to this lawsuit occurred, have since separated, and that Jacqueline Lawson has filed for divorce and requests to be dismissed from this lawsuit. See generally id. No opposition has been filed.¹

The purpose of Rule 41(a)(2) “is to permit a plaintiff to dismiss an action without prejudice so long as the defendant will not be prejudiced.” Stevedoring Servs. of Am. v.

¹Pursuant to this Court’s Local Rules, opposition papers are due no later than twenty-one days before the date designated for the hearing of the motion, which in this instance was May 25, 2015. C.D. Cal. L.R. 7-9.

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Armilla Int'l, B.V., 889 F.2d 919, 921 (9th Cir. 1989). Because it does not appear that the defendant will be prejudiced by the requested dismissal, the Court **GRANTS** the motion to dismiss Jacqueline Lawson and her claims for loss of consortium from the instant action.

IT IS SO ORDERED.

Initials of Preparer

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CMJ