

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

JS-6

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

<p>SHAHRIAR NOORPARVAR, INDIVIDUALLY AND ON BEHALF OF ALL OTHERS SIMILARLY SITUATED,</p> <p>Plaintiff,</p> <p>v.</p> <p>TIME WARNER CABLE, INC.,</p> <p>Defendant.</p>	<p>Case No.: 15-CV-02946-FMO-PLA</p> <p>ORDER GRANTING REQUEST FOR VOLUNTARY DISMISSAL OF PLAINTIFF’S INDIVIDUAL CLAIMS WITH PREJUDICE AND THE PUTATIVE CLASS CLAIMS WITHOUT PREJUDICE</p> <p>Hon. Fernando M. Olguin</p>
---	--

1 Having considered the unopposed request by Plaintiff SHAHRIAR
2 NOORPARVAR (“Plaintiff”) for voluntary dismissal pursuant to Fed. R. Civ. P.
3 41(a)(1)(A)(i) supported by declaration, and following the Status Conference on
4 June 25, 2015 (Dkt. No. 16), the Court hereby **ORDERS** as follows:

- 5
- 6 1. Plaintiff’s individual claims in the above-captioned case are dismissed
7 WITH PREJUDICE;
 - 8 2. Based on the declaration from Plaintiff’s counsel, there does not appear
9 to be any evidence of collusion between the parties or their counsel
10 regarding the individual settlement in this action. Additionally, there is
11 no potential for prejudice to the putative class members’ claims, as the
12 settlement in this matter extends only to the individual claims of Plaintiff,
13 the Defendant has not answered the Complaint filed approximately two
14 months ago on April 21, 2015, and Plaintiff requests the putative class
15 members’ claims be dismissed without prejudice, *see Hardman v. Tri-*
16 *Financial, LLC*, 2010 U.S. Dist. LEXIS 9996, *6 (S.D. Cal. Feb. 3, 2010)
17 and *Castro v. Zenith Acquisitions Corp.*, 2007 WL 8190, *2 (N.D. Cal.
18 Jan. 9 2007). Consequently, notice to the putative class members of the
19 dismissal is not required. Therefore, the putative class members’ claims
20 in the above-captioned case are dismissed WITHOUT PREJUDICE.

21
22 **IT IS SO ORDERED.**

23
24 Date: June 26, 2015

/s/

Hon. Fernando M. Olguin
UNITED STATES DISTRICT JUDGE