JS - 6

**UNITED STATES DISTRICT COURT**

**CENTRAL DISTRICT OF CALIFORNIA**

| | |
|---|---|
| MICHAEL NIEMAN,<br>Plaintiff,<br>v.<br>VALLEY GYM CORP.,<br>Defendant. | Case No. CV 20-11647 FMO (ASx)<br><br>**ORDER DISMISSING ACTION** |

The complaint in the above-captioned case contains individual and class allegations. Plaintiff has filed a Notice of Settlement notifying the court that plaintiff has settled his individual claims with defendant. (See Dkt. 21, Amended Notice of Settlement). Having reviewed the case file and determined that no prejudice to the putative class will result from the dismissal, IT IS ORDERED that the above-captioned action is hereby **dismissed with prejudice** as to plaintiff's individual claims and **without prejudice** as to the class claims. Upon good cause shown within **45 days from the filing date of this Order,** plaintiff may seek to re-open the action if settlement is not consummated.

Dated this 4th day of June, 2021.

/s/
Fernando M. Olguin
United States District Judge

Dockets.Justia.com