

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA**

**TRAVELERS INDEMNITY COMPANY  
OF CONNECTICUT, a Connecticut  
corporation, et al.,**

## Plaintiffs,

V.

## **CENTEX HOMES, a Nevada general partnership,**

**Defendant.**

**CASE NO. 1:15-CV-233 AWI SAB**

**ORDER CLOSING CASE IN LIGHT OF  
STIPULATION FOR DISMISSAL  
WITHOUT PREJUDICE**

On July 6, 2015, the parties filed a stipulation for dismissal of this case without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii). See Doc. No. 15.

Rule 41(a)(1), in relevant part, reads:

(A) . . . the plaintiff may dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared. . . . (B) Unless the notice or stipulation states otherwise, the dismissal is without prejudice.

Dismissals under Rule 41(a)(1)(A), when properly filed, are effective immediately and do not require a court order/court approval. See Fed. R. Civ. P. 41(a)(1); Yesh Music v. Lakewood Church, 727 F.3d 356, 362 (5th Cir. 2013); Commercial Space Mgmt. Co. v. Boeing Co., 193 F.3d 1074, 1077 (9th Cir. 1999); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997).

Here, no answers or summary judgment motions have been filed. Furthermore,

1 Defendant's attorney has signed the stipulated dismissal. Because the requirements of Rule  
2 41(a)(1)(A) have been met, this case has terminated. See id.

3 Therefore, IT IS HEREBY ORDERED that the Clerk shall CLOSE this case in light of the  
4 filed and signed Rule 41(a)(1) Stipulation Of Dismissal Without Prejudice.

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6 IT IS SO ORDERED.

7 Dated: July 8, 2015

  
8 SENIOR DISTRICT JUDGE

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