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4 **UNITED STATES DISTRICT COURT**
5 **EASTERN DISTRICT OF CALIFORNIA**
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7 **TRAVELERS INDEMNITY COMPANY**
8 **OF CONNECTICUT, a Connecticut**
9 **corporation, et al.,**

10 **Plaintiffs,**

11 **v.**

12 **CENTEX HOMES, a Nevada general**
13 **partnership,**

14 **Defendant.**

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

ORDER CLOSING CASE IN LIGHT OF
STIPULATION FOR DISMISSAL
WITHOUT PREJUDICE

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

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

23 Dismissals under Rule 41(a)(1)(A), when properly filed, are effective immediately and do not
24 require a court order/court approval. See Fed. R. Civ. P. 41(a)(1); Yesh Music v. Lakewood
25 Church, 727 F.3d 356, 362 (5th Cir. 2013); Commercial Space Mgmt. Co. v. Boeing Co., 193 F.3d
26 1074, 1077 (9th Cir. 1999); Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997).

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

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SENIOR DISTRICT JUDGE