

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

RONALD MOORE,) No. 1:15-cv-00320---SKO
Plaintiff,)
vs.) **ORDER DIRECTING CLERK TO
UPDATE DOCKET**
SVP PARTNERS, LLC, et al.,)
Defendants.)

On June 24, 2015, Plaintiff filed a notice of voluntary dismissal, with prejudice, against Defendant Quick 'N' E-Z, Inc., d/b/a Quick N EZ Food 25, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). (Doc. 17.)

In relevant part, Rule 41(a)(1)(A) provides as follows:

[A] plaintiff may dismiss an action with 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.

27 Fed. R. Civ. P. 41(a)(1)(A). “The plaintiff may dismiss some or all of the defendants, or some
28 or all of his claims, through a Rule 41(a)(1) notice,” and the dismissal “automatically

1 terminates the action as to the defendants who are the subjects of the notice.” *Wilson v. City of*
2 *San Jose*, 111 F.3d 688, 692 (9th Cir. 1997).

3 Because Plaintiff filed a notice of dismissal of Defendant Quick ‘N’ E-Z, Inc., with
4 prejudice under Rule 41(a)(1)(A)(i), the claims against that defendant have been automatically
5 terminated. Fed. R. Civ. P. 41(a)(1)(A)(i).

6 Accordingly IT IS HEREBY ORDERED that the Clerk of the Court is to
7 administratively update the docket to reflect that all claims against Defendant Quick ‘N’ E-Z,
8 Inc., have been dismissed with prejudice, and this defendant is terminated from the lawsuit.

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10 IT IS SO ORDERED.

11 Dated: June 26, 2015

12 /s/ Sheila K. Oberto
13 UNITED STATES MAGISTRATE JUDGE

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