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8 **UNITED STATES DISTRICT COURT**
9 **EASTERN DISTRICT OF CALIFORNIA**
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11 ST. PAUL MERCURY INSURANCE) Case No.: 1:15-cv-01542 --- JLT
12 COMANY,)
13 Plaintiffs,) ORDER CLOSING CASE
14 v.)
15 CENTEX HOMES, et al.,)
16 Defendants.)

17 On the February 9, 2016, the parties filed a stipulation to dismiss the matter. (Doc. 13) The
18 stipulation relies upon Rule 41 of the Federal Rules of Civil Procedure, under which “the plaintiff may
19 dismiss an action without a court order by filing: (i) a notice of dismissal before the opposing party
20 serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by
21 all parties who have appeared.” Fed. R. Civ. P. 41(a)(1)(A). Once such a notice has been filed, an
22 order of the Court is not required for the dismissal. Fed. R. Civ. P. 41(a)(1)(ii); *Wilson v. City of San*
23 *Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Thus, the Clerk of Court is **DIRECTED** to close this action
24 in light of the notice of dismissal without prejudice filed and properly signed pursuant to Rule
25 41(a)(1)(A)(ii).
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27 IT IS SO ORDERED.

28 Dated: February 11, 2016

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE