

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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

PARAMOUNT PETROLEUM CORPORATION ,)	Case No.: 1:16-cv-01722 LJO JLT
)	
Plaintiff,)	ORDER DIRECTING THE CLERK OF THE COURT TO CLOSE THE CASE
)	
v.)	
)	
AMERISURE MUTUAL INSURANCE CORPORATION,)	
)	
Defendant.)	
)	

On February 3, 2017, the plaintiff filed a notice of dismissal. (Doc. 9) Federal Rules of Civil Procedure Rule 41 provides that “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 . . .” Fed. R. Civ. P. 41(a)(1)(A). Once such a notice has been filed, an order of the Court is not required to make the dismissal effective. Fed. R. Civ. P. 41(a)(1)(ii); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997). Accordingly, the Clerk of Court is DIRECTED to close this action in light of the notice of dismissal with prejudice filed and properly signed pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: February 6, 2017

/s/ Jennifer L. Thurston
UNITED STATES MAGISTRATE JUDGE