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5 **UNITED STATES DISTRICT COURT**
6 **EASTERN DISTRICT OF CALIFORNIA**
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8 DANIEL S. RUIZ,

9 Plaintiff,

10 v.

11 WELLS FARGO, N.A., et al.,

12 Defendants.
13

Case No. 1:17-cv-00321-LJO-SAB

ORDER DIRECTING CLERK OF THE
COURT TO TERMINATE DEFENDANT
HYUNDAI CAPITAL AMERICA AS A
PARTY IN THIS ACTION PURSUANT TO
FED. R. CIV. P. 41(a)

(ECF No. 50)

14 On June 22, 2017, Plaintiff filed a notice of voluntary dismissal dismissing Defendant
15 Hyundai Capital America with prejudice with each party to bear its own costs and fees.

16 Rule 41(a) of the Federal Rules of Civil Procedure allows a party to dismiss some or all
17 of the defendants or claims in an action through a Rule 41(a) notice. Wilson v. City of San Jose,
18 111 F.3d 688, 692 (9th Cir. 1997). Defendant Hyundai Capital America has not filed an answer
19 or motion for summary judgment.

20 Accordingly, the Clerk of the Court is HEREBY ORDERED to terminate Defendant
21 Hyundai Capital America in this action.

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23 IT IS SO ORDERED.

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25 Dated: June 24, 2017


UNITED STATES MAGISTRATE JUDGE