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5 **UNITED STATES DISTRICT COURT**  
6 **EASTERN DISTRICT OF CALIFORNIA**  
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8 RACHEL K. RUIZ,  
9 Plaintiff,  
10 v.  
11 WELLS FARGO, N.A., et al.,  
12 Defendants.  
13

Case No. 1:17-cv-00323-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. 49)

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.

22  
23 IT IS SO ORDERED.

24  
25 Dated: June 24, 2017

  
UNITED STATES MAGISTRATE JUDGE