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

ELIZABETH BRANDT,
Plaintiff
v.
OCWEN LOAN SERVICING, LLC, *et al.*,
Defendants.

Case No. 1:17-cv-00643-LJO-EPG
**ORDER DIRECTING THE CLERK OF
THE COURT TO TERMINATE
DEFENDANT OCWEN MORTGAGE
SERVICING, INC**
(ECF No. 18)

On July 13, 2017, Plaintiff Elizabeth Brandt filed a notice of voluntary dismissal dismissing her claims against Defendant Ocwen Mortgage Servicing, Inc. without prejudice. (ECF No. 18.) Defendant Ocwen Mortgage Servicing, Inc. has not filed an answer or motion for summary judgment.

In light of Plaintiff’s notice, the claims against Defendant Ocwen Mortgage Servicing, Inc. have been terminated, *see* Fed. R. Civ. P. 41(a)(1)(A)(i); *Wilson v. City of San Jose*, 111 F.3d 688, 692 (9th Cir. 1997), and dismissed without prejudice. *Concha v. London*, 62 F.3d 1493, 1506 (9th Cir. 1995) (“Even if the defendant has filed a motion to dismiss, the plaintiff may terminate his action voluntarily by filing a notice of dismissal under Rule 41(a)(1).”).

Accordingly, the Clerk of the Court is DIRECTED to terminate Ocwen Mortgage Servicing, Inc. as a Defendant in this case.

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This case shall proceed against Defendant Ocwen Loan Servicing, LLC.

IT IS SO ORDERED.

Dated: July 27, 2017

/s/ Eric P. Gray
UNITED STATES MAGISTRATE JUDGE