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

KIMBERLY WHITEHEAD,	)	Case No.: 1:17-cv-1204 LJO JLT
	)	
Plaintiff,	)	ORDER CLOSING THE CASE AS TO
	)	DEFENDANT TAKEDA
v.	)	PHARMACEUTICALS USA, INC. LONG
	)	TERM DISABILITY PLAN ONLY
LIBERTY LIFE ASSURANCE COMPANY	)	(Doc. 10)
OF BOSTON, et al.,	)	
	)	
Defendants.	)	
	)	

On October 12, 2017, the plaintiff filed a notice of voluntary dismissal as to Takeda Pharmaceuticals USA, Inc. Long Term Disability Plan. (Doc. 10) 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. 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 as to Takeda Pharmaceuticals USA, Inc. Long Term Disability Plan **only** in light of the notice of voluntary dismissal without prejudice filed and properly signed pursuant to Rule 41(a).

IT IS SO ORDERED.

Dated: October 16, 2017

/s/ Jennifer L. Thurston  
UNITED STATES MAGISTRATE JUDGE

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