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8	UNITED STATES DISTRICT COURT		
9	FOR THE EASTERN DISTRICT OF CALIFORNIA		
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11	LUIS VILLEGAS,	No. 1:18-cv-00274-SKO	
12	Plaintiff,		
13	v.	ORDER DIRECTING THE CLERK TO	
14	KC PROP, LLC, et al.,	TERMINATE DEFENDANT KC PROP, LLC	
15	Defendants.	(Doc. 28)	
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18	On December 17, 2018, the parties filed a stipulation of dismissal of Defendant KC Prop.		
19	LLC, with prejudice, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A). (Doc. 28.)		
20	In relevant part, Rule 41(a)(1)(A) provides as follows:		
21	[A] plaintiff may dismiss an action without a court order by filing: (i) a notice of		
22	dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared.		
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24	Fed. R. Civ. P. 41(a)(1)(A). "The plaintiff may dismiss some or all of the defendants, or some or		
25	all of his claims, through a Rule 41(a)(1) notice," and the dismissal "automatically terminates the		
26	action as to the defendants who are the subjects of the notice." Wilson v. City of San Jose, 111		
27	F.3d 688, 692 (9th Cir. 1997).		
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1	Because the parties filed a stipulation of dismissal with prejudice under Rule
2	41(a)(1)(A)(ii), this case has automatically terminated as to Defendant KC Prop, LLC. Fed. R. Civ.
3	P. 41(a)(1)(A). Accordingly, the Clerk of Court is directed to TERMINATE Defendant KC Prop,
4	LLC.
5	This case shall remain OPEN pending resolution of Plaintiff's case against the remaining
6	defendant.
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8	IT IS SO ORDERED.
9	Dated: December 17, 2018 /s/ Sheila K. Oberto
10	UNITED STATES MAGISTRATE JUDGE
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