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UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

TULARE GOLF COURSE, LLC,  
Plaintiff,  
v.  
VANTAGE TAG, INC., et al.,  
Defendants.

Case No. 1:21-cv-0505 JLT SKO  
ORDER ADOPTING THE FINDINGS AND  
RECOMMENDATIONS GRANTING THE  
MOTION TO DISMISS AND TERMINATING  
DEFENDANT ARROW CAPITAL  
SOLUTIONS, INC, AND CROSS-  
DEFENDANT VANTAGE TAG, INC.  
  
(Docs. 38, 41)

ARROW CAPITAL SOLUTIONS, INC.,  
Cross-Claimant,  
v.  
VANTAGE TAG, INC.,  
Cross-Defendant.

Tulare Golf Course filed a first amended complaint against Vantage Tag, Inc.; Arrow Capital Solutions, Inc.; and U.S. Bank National Association. (Doc. 11.) Arrow Capital Solutions filed an answer and a crossclaim against Vantage Tag. (Doc. 17.) Tulare Golf Course and Arrow Capital Solutions filed a request for dismissal pursuant to Federal Rule of Civil Procedure 41(a)(2). (Doc. 38.) Specifically, Tulare Golf Course requests dismissal without prejudice of its complaint against Arrow Capital Solutions, and Arrow Capital Solutions requests dismissal

1 without prejudice of its cross-claim against Vantage Tag. (*See id.*) U.S. Bank filed an opposition  
2 to the request. (Doc. 40.)

3 The assigned magistrate judge found the requested voluntary dismissals would not result  
4 in “prejudice to some legal interest, some legal claim, [or] some legal argument.” (Doc. 41 at 3,  
5 4, citing *Westlands Water Dist. v. United States*, 100 F.3d 94, 96 (9th Cir. 1996).) Therefore, the  
6 magistrate judge recommended the Court grant Tulare Golf Course’s request for dismissal  
7 without prejudice of its complaint against Arrow Capital Solutions, and Arrow Capital Solutions’  
8 request for dismissal without prejudice of its crossclaim against Vantage Tag. (*Id.* at 5.)

9 The Findings and Recommendations notified the parties that any objections were due  
10 within 14 days. (*Id.*) The Court advised the parties that “failure to file objections within the  
11 specified time may result in the waiver of rights on appeal.” (*Id.*, citing *Wilkerson v. Wheeler*,  
12 772 F.3d 834, 839 (9th Cir. 2014).) No objections were filed, and the time to do so has expired.

13 According to 28 U.S.C. § 636(b)(1)(C), this Court conducted a *de novo* review of the case.  
14 Having carefully reviewed the entire file, the Court concludes the findings and recommendation  
15 are supported by the record and proper analysis. Thus, the Court **ORDERS**:

- 16 1. The Findings and Recommendations issued April 22, 2022 (Doc. 41), are  
17 **ADOPTED** in full.
- 18 2. Plaintiff Tulare Golf Course’s request for dismissal without prejudice of its  
19 complaint against Defendant Arrow Capital Solutions (Doc. 38) is **GRANTED**.
- 20 3. Cross-Claimant Arrow Capital Solutions’ request for dismissal without prejudice  
21 of its crossclaim against Cross-Defendant Vantage Tag (Doc. 38) is **GRANTED**.
- 22 4. The Clerk of Court is directed to update the docket and **TERMINATE** Arrow  
23 Capital Solutions, Inc., as both a defendant and cross-claimant, and Vantage Tag,  
24 Inc., as a cross-defendant only<sup>1</sup>; and

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28 <sup>1</sup> Vantage Tag remains a defendant in Tulare Golf Course’s action.

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5. The case shall remain **OPEN** pending resolution of Tulare Golf Course's case against the remaining defendants.

IT IS SO ORDERED.

Dated: May 22, 2022

  
UNITED STATES DISTRICT JUDGE