

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

ASHLEY ANN AMERSON,
Plaintiff,

v.

AMAZON.COM SERVICES, LLC, and
DOES 1 through 20, inclusive,
Defendant.

Case No. 1:24-cv-00100-JLT-CDB

ORDER DIRECTING CLERK OF COURT
TO CLOSE CASE AND ADJUST THE
DOCKET TO REFLECT VOLUNTARY
DISMISSAL PURSUANT TO RULE
41(a)(1)(A)(ii) OF THE FEDERAL RULES
OF CIVIL PROCEDURE

(Doc. 18)

Clerk of Court to Update Docket

On August 22, 2024, Plaintiff Ashley Ann Amerson (“Plaintiff”) and Defendant Amazon.com Services, LLC (“Defendant”) filed a joint notice of settlement in which the parties represented they have reached a settlement. (Doc. 16). On August 23, 2024, the Court directed the parties to file dispositional documents no later than October 22, 2024. (Doc. 17). On October 22, 2024, the parties filed a joint stipulation for voluntary dismissal with prejudice pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii). (Doc. 18). The parties further stipulated and agreed that each party bear its own attorneys’ fees and costs. *Id.* at 2.

Pursuant to Rule 41(a), a plaintiff may dismiss an action without court order in one of two ways: (1) by filing a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment, or (2) by stipulation of all parties who have appeared. Fed. R. Civ. P. 41(a)(1)(A)(i) &(ii). Voluntary dismissal under this rule requires no action on the part

1 of the court. *See United States v. 475 Martin Lane*, 545 F.3d 1134, 1145 (9th Cir. 2008)
2 (voluntary dismissal pursuant to Rule 41(a)(1) is self-executing and requires no further action
3 by court).

4 Here, the parties' joint stipulation of dismissal is consistent with Federal Rule of Civil
5 Procedure 41(a)(1)(A)(ii). Thus, the parties' stipulated dismissal is effective upon its filing and
6 without a court order.

7 Accordingly, the Clerk of the Court is HEREBY DIRECTED to CLOSE the file in this
8 case and adjust the docket to reflect voluntary dismissal of this action with prejudice, with each
9 party bearing that party's own attorneys' fees and costs, and without further order from the Court.
10 IT IS SO ORDERED.

11 Dated: October 24, 2024


UNITED STATES MAGISTRATE JUDGE

13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28