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IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

TERESA J. MOORE,
GERTRUDE V. VIZMANOS,

Plaintiffs,

No. CIV S-10-2445 FCD EFB PS

vs.

BANK OF AMERICA, et al.,

Defendants.

ORDER

On December 1, 2010, plaintiff Teresa Moore filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(1). Dckt. No. 13. The notice of voluntary dismissal states that Moore “give[s] notice that [this] action is voluntarily dismissed, without prejudice against the defendant(s) Bank of America, et alia.” *Id.*

It is unclear from Moore’s filing whether only plaintiff Moore seeks the voluntary dismissal or whether plaintiff Gertrude Vizmanos also seeks the dismissal. It is also unclear whether plaintiff(s) seek to dismiss only defendant Bank of America or whether plaintiff(s) seek to dismiss all defendants.¹ Therefore, within seven days from the date this order is served,

¹ To the extent plaintiff(s) seek to dismiss defendant Ed Turner, because defendant Turner has filed an answer to plaintiffs’ complaint, Dckt. No. 12, any such dismissal would need to be by stipulation or by court order. Fed. R. Civ. P. 41(a)(1)(A); 41(a)(2).

1 plaintiff(s) shall file a revised notice of voluntary dismissal clarifying the issues addressed
2 herein. Failure to file a revised notice of voluntary dismissal, as ordered herein, will be deemed
3 a withdrawal of the December 1, 2010 notice of voluntary dismissal.

4 SO ORDERED.

5 DATED: December 8, 2010.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE

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