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UNITED STATES DISTRICT COURT
Northern District of California
San Francisco Division

MARIA GOMEZ,

No. C12-06545 LB

Plaintiff,

**ORDER REGARDING PLAINTIFF'S
NOTICE OF VOLUNTARY
DISMISSAL**

v.

SIBYLLE COE,

Defendant.

[Re: ECF No. 23]

Plaintiff filed her complaint against Defendant on December 27, 2012, and Defendant answered it on May 14, 2013. Complaint, ECF No. 1; Answer, ECF No. 9. Now, Plaintiff has filed a notice of voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a). Notice, ECF No. 23. Under Rule 41(a), however, Plaintiff cannot simply dismiss her action by filing a notice; instead, because Defendant answered Plaintiff's complaint, the parties must file a stipulation of dismissal. *Compare* Fed. R. Civ. P. 41(a)(1)(A)(i) *with* Fed. R. Civ. P. 41(a)(1)(A)(ii). Accordingly, if the parties wish to dismiss this action, they are directed to file a stipulation doing so. This can be accomplished if Defendant files a separate notice stipulating to the dismissal.

IT IS SO ORDERED.

Dated: September 6, 2013



LAUREL BEELER
United States Magistrate Judge