

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 SOUTHERN DISTRICT OF CALIFORNIA
10

11 KEISHA NEWSOM, individually and on
12 behalf of all others similarly situated,
13 Plaintiff,
14 v.
15 GILA, LLC, d/b/a Municipal Services
16 Bureau,
17 Defendants.

Case No.: 16cv3063-JLS (JMA)

**ORDER GRANTING JOINT
MOTION TO DISMISS WITHOUT
PREJUDICE AND DENYING AS
MOOT MOTION TO STRIKE**

(ECF Nos. 14, 15)

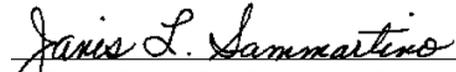
18 Presently before the Court is Plaintiff Keisha Newsom’s and Defendant Gila, LLC’s
19 Joint Motion to Dismiss Without Prejudice (“Joint Mot.”). (ECF No. 15.) The Parties
20 request that the entire action be dismissed without prejudice both as to the named Plaintiff
21 and the Putative Class. (Joint Mot. 1–2.)

22 Although this case concerns a putative class, Federal Rule of Civil Procedure 23(e)
23 governs dismissal only when a class has been certified; therefore, Federal Rule of Civil
24 Procedure 41 governs the instant Motion. Federal Rule of Civil Procedure 41(a)(1)(A)(ii)
25 permits dismissal without a Court Order when a plaintiff files “a stipulation of dismissal
26 signed by all parties who have appeared.” In the present case, only Plaintiff Keisha
27 Newsom and Defendant Gila, LLC have appeared and both have signed the Joint Motion.
28 Accordingly, the action is **DISMISSED WITHOUT PREJUDICE** and the Court

1 **GRANTS** the Parties' Joint Motion. Given the foregoing, the Court further **DENIES AS**
2 **MOOT** the currently pending Motion to Strike. (ECF No. 14.) Because this concludes the
3 litigation in this matter, the Clerk **SHALL** close the file.

4 **IT IS SO ORDERED.**

5 Dated: June 1, 2017


6 Hon. Janis L. Sammartino
7 United States District Judge

8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28