

FILED

JAN 06 2021

CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JORDAN KOHLER, individually and on behalf of others similarly situated,
Plaintiff,

v.

TORREY GARDEN HILLS 1, LLC,
Defendant.

Case No.: 3:19-cv-01870-BEN-BLM

ORDER GRANTING JOINT MOTION TO DISMISS

[ECF No. 28]

On November 25, 2020, Plaintiff Jordan Kohler and Defendant TORREY GARDEN HILLS 1, LLC, filed a Joint Motion and Stipulation for Dismissal. ECF No. 28. The Parties seek dismissal of Plaintiff's claims with prejudice, and dismissal of the putative class's claims without prejudice. *Id.* at 1. Pursuant to Federal Rule of Civil Procedure 41(a)(2), the Court **grants** the Joint Motion. The Court has also considered the factors set forth in *Diaz v. Trust Territory of Pac. Islands*, 876 F.2d 1401, 1408-11 (9th Cir. 1986), and concludes additional class notice is not required in this case. Plaintiff's claims are dismissed with prejudice, and any claims of putative class members are dismissed without prejudice. Each party shall bear its own costs, expenses, and fees.

IT IS SO ORDERED.

Date: January 6, 2021

[Signature]

HON. ROGER T. BENITEZ
United States District Judge