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**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA**

COLLETTE STARK,  
  
Plaintiff,  
  
v.  
  
NAVIGATE REAL ESTATE CO.,  
  
Defendant.


Case No. 23-cv-2166-BAS-KSC

**ORDER DISMISSING CASE  
WITHOUT PREJUDICE (ECF No. 8)**

Presently before the Court is Plaintiff Collette Stark (“Plaintiff”)’s Notice of Dismissal. (ECF No. 8.) Under Rule 41(a)(1)(A)(i), a plaintiff may file a notice of dismissal before the opposing party serves an answer or a motion for summary judgment. Fed. R. Civ. P. 41(a)(1)(A). Here, Defendant Navigate Real Estate Company (“Navigate” or “Defendant”) has filed neither an answer nor a motion for summary judgment. Accordingly, this Court **GIVES EFFECT** to Plaintiff’s Notice of Dismissal against Defendant Navigate. (ECF No. 8.) Per Rule 41(a)(1)(B), the dismissal shall be **WITHOUT PREJUDICE** because the parties have not otherwise stipulated. Fed. R. Civ. P. 41(a)(1)(B). The Clerk of Court is **DIRECTED** to close this matter.

**IT IS SO ORDERED.**

**DATED: May 6, 2024**

  
**Hon. Cynthia Bashant  
United States District Judge**