

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Civil Action No. 13-cv-02646-PAB-MEH

SHANNON CLARK, individually and on behalf of all others similarly situated,

Plaintiff,

v.

GREEN TREE SERVICING LLC, a Delaware limited liability company,

Defendant.

MINUTE ORDER

Entered by Judge Philip A. Brimmer

This matter is before the Court on the parties' Stipulation to Dismiss Action [Docket No. 103]. The parties request that the Court enter an order dismissing this action.

The stipulation complies with Federal Rule of Civil Procedure 41(a)(1)(A)(ii), which provides that the "plaintiff may dismiss an action *without a court order* by filing: . . . a stipulation of dismissal signed by all parties who have appeared." (emphasis added). Furthermore, "[u]nless the notice or stipulation states otherwise, the dismissal is without prejudice." Fed. R. Civ. P. 41(a)(1)(B) (emphasis added). Here, however, the parties have agreed to the dismissal of plaintiff Shannon Clark's claims with prejudice. Therefore, the case was dismissed with prejudice as to Ms. Clark's claims and without prejudice as to any claims alleged by the putative, uncertified class as of the entry of the parties' stipulation for dismissal. No order of dismissal is necessary.

DATED April 15, 2015.