

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS

AUTUMN N. CROUCH, *Special*)
Administrator of the Estate of Jacob Russell)
Steward, deceased,)

Plaintiff,)

vs.)

Case No. 17-CV-1089-SMY

TAYLOR LOGISTICS COMPANY, LLC,)
POLLOCK LOGISTICS, LLC, JEFFREY)
F. HALL, JR., HALL)
TRANSPORTATION, LLC, and DEBRA)
K. POLLOCK, *individually and as Personal*)
Representative of the Estate of Walter)
Pollock, Deceased,)

Defendants.)

AND)

KIMBERLY D. BOSEL, *Individually, and*)
as Independent Representative of the Estate)
of Eric A. Bosel,)

Plaintiff,)

vs.)

Case No. 17-CV-1280-SMY

TAYLOR LOGISTICS COMPANY, LLC,)
POLLOCK LOGISTICS, LLC, JEFFREY)
F. HALL, JR., HALL)
TRANSPORTATION, LLC, and DEBRA)
K. POLLOCK, *individually and as Personal*)
Representative of the Estate of Walter)
Pollock, Deceased,)

Defendants.)

MEMORANDUM AND ORDER

YANDLE, District Judge:

Now pending before the Court is the Stipulation of Dismissal without prejudice with

respect to the claims asserted against Defendants Debra K. Pollock, individually, and Pollock Logistics, LLC, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) (Doc. 226).

Rule 41 permits voluntary dismissals under certain circumstances, but the Rule is circumscribed to dismissals of “actions,” not “parties” or “claims,” meaning that the rule should not be used to cleave away one claim or one party from a larger case. *See Taylor v. Brown*, 787 F.3d 851, 857-58 (7th Cir. 2015). While the Court acknowledges the plain reading of the Rule, given the number of Defendants, it finds that dismissing Defendants Debra K. Pollock, individually, and Pollock Logistics, LLC pursuant to Rule 41(a)(1)(A)(ii) is appropriate in this case. *See Madsen v. Park City*, 6 F. Supp. 2d 938, 943 (N.D. Ill. 1998) (“In a multiple defendant case, it is permissible to voluntarily dismiss just some of the defendants.”).

Accordingly, Debra K. Pollock, individually, and Pollock Logistics, LLC are **DISMISSED without prejudice**; Debra K. Pollock’s (individually) and Pollock Logistics, LLC’s Motions for Summary Judgment (Docs. 215 and 216) are **TERMINATED as Moot**.

IT IS SO ORDERED.

DATED: April 27, 2021



STACI M. YANDLE
United States District Judge