

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

EL CAMPO VENTURES, LLC,

Plaintiff,

v.

STRATTON SECURITIES, INC., et al.,

Defendants.

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1:20-CV-560-RP

ORDER

Before the Court is Plaintiff El Campo Ventures, LLC’s (“El Campo”) and Defendants Clay Signor, Signor Logistics, LLC, and Signor Farm and Ranch, LP’s Stipulation of Dismissal Without Prejudice. (Dkt. 25). In their Stipulation, Moran cites Federal Rule of Civil Procedure 41(a)(1)(A)(ii), which allows a plaintiff to voluntarily dismiss an action without a court order by filing a notice of dismissal before the opposing party serves an answer or a motion for summary judgment. (*Id.* at 1). Though Rule 41 speaks of dismissing an “action,” the Fifth Circuit has interpreted it to allow plaintiffs to dismiss all of their claims against individual opposing parties. *See Oswalt v. Scripto, Inc.*, 616 F.2d 191, 194–95 (5th Cir. 1980); *Plains Growers ex rel. Florists’ Mut. Ins. Co. v. Ickes-Braun Glasshouses, Inc.*, 474 F.2d 250, 254–55 (5th Cir. 1973); *see also* 9 Charles A. Wright, et al. *Federal Practice and Procedure* § 2362 (3d ed. Aug. 2019 update).

“Stipulated dismissals under Rule 41(a)(1)(A)(ii) . . . require no judicial action or approval and are effective automatically upon filing.” *Yesh Music v. Lakenwood Church*, 727 F.3d 356, 362 (5th Cir. 2013).

Accordingly, **IT IS ORDERED** that the Clerk shall **TERMINATE** Defendants Clay Signor, Signor Logistics, LLC, and Signor Farm and Ranch, LP.

SIGNED on March 11, 2020.

A handwritten signature in blue ink, appearing to read "R. Pitman", written over a horizontal line.

ROBERT PITMAN
UNITED STATES DISTRICT JUDGE