

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hernandez v. Walmart, Inc.

Hernandez · No. 1:23-cv-01355-KES-SKO · Decided July 24, 2025

SUMMARY

The United States District Court for the Eastern District of California acknowledged the parties’ stipulated dismissal of counts two and three in Hernandez v. Walmart, Inc. The dismissal was with prejudice, while the action remained open pending resolution of the remaining causes of action.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Sheila K. Oberto
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 24, 2025
DOCKET	1:23-cv-01355-KES-SKO
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court entered an order acknowledging the parties' joint stipulation dismissing counts two and three of the complaint with prejudice while the action remained pending as to the remaining causes of action.
PRECEDENTIAL VALUE	unpublished district court order; precedential status not specified

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

- Whether the court should acknowledge and effectuate the parties' joint stipulation dismissing counts two and three under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).

2. Whether the dismissal of counts two and three should be with prejudice while the remaining causes of action continue.

HOLDINGS

1. The parties' stipulation dismissed counts two and three pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii).
2. The dismissal of counts two and three was with prejudice, and the action remained open pending resolution of the remaining causes of action.

FACTUAL BACKGROUND

The action concerns claims asserted by Joyce Hernandez against Walmart, Inc. and Doe defendants. The opinion does not discuss the underlying substantive facts. The parties jointly stipulated to dismissal of counts two and three.

PROCEDURAL HISTORY

Plaintiff Joyce Hernandez filed an action against Walmart, Inc. and Does 1-50. On July 23, 2025, the parties filed a joint stipulation dismissing counts two and three. The court acknowledged the dismissal, ordered it to be with prejudice, and directed that the action remain open pending resolution of the remaining causes of action.

DISPOSITION

dismissed

CASES CITED

- Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir. 1997)