

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Cassity v. FCA USA, LLC

No. 24-cv-02187-BAS-SBC (S.D. Cal. June 2, 2025) · No. 24-cv-02187-BAS-SBC · Decided June 2, 2025

OPINION

Cassity v. FCA US, LLC

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 GLENN CASSITY and TIFFANY Case No. 24-cv-02187-BAS-SBC

CASSITY,

12

ORDER GRANTING PARTIES’

Plaintiffs,

13 JOINT MOTION TO DISMISS

v. 14 (ECF No. 9)

FCA USA, LLC,

15 Defendant. 16

17 18 Pending before the Court is the parties’ joint motion pursuant to Federal Rule of 19 Civil
Procedure (“Rule”) 41(a)(1)(A)(ii) to dismiss the instant action. (ECF No. 9.) 20 Under Rule 41(a)
(1), a plaintiff has an absolute right to voluntarily dismiss its action 21 by (1) filing a notice of
voluntary dismissal before a defendant has filed an answer or 22 moved for summary judgment or
(2) filing a stipulation of dismissal signed by all parties 23 who have appeared. Fed. R. Civ. P.
41(a)(1)(A); see also *Wilson v. City of San Jose*, 111 24 F.3d 688, 692 (9th Cir. 1997). Dismissal
is effective upon the filing of a notice or 25 stipulation, as described in Rule 41(a)(1)(A), and no
court order is required. *Stone v. 26 Woodford*, No. CIV-F-05-845 AWI-DLB, 2007 WL 527766
(E.D. Cal. Feb. 16, 2007). A 27 dismissal is without prejudice unless the parties stipulate
otherwise. Fed. R. Civ. P. 28 41(a)(1)(B). However, the local civil rules of this district require that
where, as here, 1 || litigants seek voluntary dismissal pursuant to stipulation, in accordance with
Rule 2 41(a)(1)(A)(a1), the stipulation of dismissal must be filed as a joint motion. See CivLR 7.2.
3 Having considered the parties’ submission, the Court GRANTS the Joint Motion. 4 ||(ECF No.
9.) Thus, the Court DISMISSES WITH PREJUDICE the action against 5 || Defendant. Each party
shall bear its own costs and attorneys’ fees. The Clerk of Court is 6 || directed to close the case. 7

IT IS SO ORDERED. 8 ~ 9 || DATED: June 2, 2025 (yi. (Doha 10 H n. Cynthia Bashant, Chief
Judge United States District Court 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28

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