

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Casillas v. Lowe's Home Centers, LLC

Casillas · No. 1:25-cv-00653-JLT-CDB · Decided August 21, 2025

OPINION

Casillas v. Lowe's Home Centers, LLC

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 JESSE CASILLAS, Case No. 1:25-cv-00653-JLT-CDB 12 Plaintiff, ORDER DIRECTING
CLERK OF THE

13 v. COURT TO CLOSE CASE PURSUANT

TO RULE 41(a)(1) OF THE FEDERAL

14 LOWE'S HOME CENTERS, LLC, RULES OF CIVIL PROCEDURE

15 Defendant. (Doc. 6) 16 17 18 On April 21, 2025, Plaintiff Jesse Casillas ("Plaintiff") initiated
this action with the filing 19 of a putative class action complaint in state court against Defendant
Lowe's Home Centers, LLC 20 ("Defendant"). (Doc. 1-1). Defendant removed the action to this
Court on May 30, 2025. (Doc. 21 1). 22 Pending before the Court is the parties' joint stipulation
for voluntary dismissal of the 23 action, filed on August 20, 2025. (Doc. 6). The stipulation is
signed by all appearing parties and 24 otherwise comports with the requirements of Fed. R. Civ. P.
41(a)(1)(A)(ii) and Plaintiff is entitled 25 to dismiss his individual claims (at least) without a court
order. In a class action, however, court 26 approval of dismissal may be required under Rule 41(a)
(2) if the class has been certified. 27 Specifically, Rule 23(e) provides that any claims arising out
of either a (1) "certified class" or (2) 28 "class proposed to be certified for purposes of settlement
... may be settled, voluntarily dismissed, 1 | compromised only with the court's approval." Fed. R.
Civ. P. 23(e) (emphasis added). 2 In this case, Plaintiff seeks to dismiss his individual claims with
prejudice and the claims of 3 | the putative class without prejudice. (Doc. 6 at 2). No class has
been certified in this action nor is 4 | there a class proposed to be certified for purposes of
settlement. (See Doc. 1). Because no class 5 | has been certified in this case, and because any
dismissal would not affect putative class members' 6 | possible claims, Rule 23(e) does not
mandate either Court approval of the parties' stipulation to 7 | dismiss the action or notice to
putative class members. See *Titus v. BlueChip Financial*, 786 Fed. 8 | Appx. 694, 695 (9th Cir.
2019) ("Because no class has been certified, Titus is the only plaintiff 9 | before the court; once
she has dismissed her claims with prejudice, no other plaintiff can step into 10 | her shoes to

continue this legal action”) (unpublished) (citing Emp ’rs-Teamsters Local Nos. 175 & 11 | 505 Pension Tr. Fund v. Anchor Capital Advisors, 498 F.3d 920, 924 (9th Cir. 2007)). 12 In light of Plaintiff’s filing, the Court finds that Rule 23(e) does not require the Court’s 13 || approval of the dismissal. This action shall be terminated by operation of law without further order 14 | of the Court. Comm. Space Mgmt. Co., Inc. v. Boeing Co., Inc., 193 F.3d 1074, 1077-78 (9th Cir. 15 1999). 16 Accordingly, the Clerk of the Court is DIRECTED to CLOSE this case and adjust the docket 17 | to reflect dismissal with prejudice as to Plaintiff’s individual claims and dismissal without prejudice 18 | as to the claims of the putative class pursuant to Fed. R. Civ. P. 41(a)(1) (A)Gw), with each party to 19 | bear that party’s own attorney’s fees and costs. 20 | IT IS SO ORDERED. *I | Dated: _ August 21, 2025 | Word bo

22 UNITED STATES MAGISTRATE JUDGE

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