

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gustavo Rivera v. Discover Bank, et al.

Rivera · No. 1:24-cv-01318-JLT-SKO · Decided January 14, 2026

SUMMARY

The court directs the Clerk to terminate Trans Union LLC as a defendant after the parties filed a joint stipulation dismissing that defendant with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii). The case remains open as to the remaining defendants.

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	January 14, 2026
DOCKET	1:24-cv-01318-JLT-SKO
DISPOSITION	other
PROCEDURAL POSTURE	The parties jointly stipulated to dismissal with prejudice of Defendant Trans Union LLC under Federal Rule of Civil Procedure 41(a)(1)(A)(ii).
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Gustavo Rivera v. Discover Bank, Trans Union LLC

TOPICS

civil procedure

PRACTICE AREAS

civil procedure

QUESTIONS PRESENTED

- Whether a joint stipulation of dismissal with prejudice under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) automatically terminates the action as to the stipulated defendant without a court order.

HOLDINGS

1. A stipulation of dismissal with prejudice signed by the parties who appeared automatically terminates the action as to the defendant covered by the stipulation and does not require a court order.

KEY QUOTATIONS

“The plaintiff may dismiss some or all of the defendants, or some or all of his claims, through a Rule 41(a)(1) notice, and the dismissal “automatically terminates the action as to the defendants who are the subjects of the notice.”” (at 1)

FACTUAL BACKGROUND

The parties filed a stipulation of dismissal under Federal Rule of Civil Procedure 41(a)(1)(A)(ii) as to Trans Union LLC. The stipulation stated that Trans Union LLC was voluntarily dismissed with prejudice. Plaintiff's claims against other defendants, including Discover Bank, remained pending.

PROCEDURAL HISTORY

On January 13, 2026, the parties filed a joint stipulation dismissing Trans Union LLC with prejudice. The court determined that the stipulation automatically terminated the action as to Trans Union LLC, directed the Clerk to terminate that defendant, and ordered that the case remain open as to the remaining defendants.

DISPOSITION

other

CASES CITED

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

OPINION

1 2 3 4 5 6 UNITED STATES DISTRICT COURT 7 EASTERN DISTRICT OF CALIFORNIA 8
GUSTAVO RIVERA, Case No. 1:24-cv-01318-JLT-SKO 9 ORDER DIRECTING CLERK TO
Plaintiff, TERMINATE DEFENDANT TRANS 10 v. UNION LLC 11 (Doc. 90) 12 DISCOVER
BANK, et al., 13 14 Defendants. 15 16 On January 13, 2026, the parties filed a Joint Stipulation of
Dismissal Pursuant to Fed. R. 17 Civil P.41(a)(1)(A)(ii) as to Defendant Trans Union LLC,
notifying the Court that this Defendant 18 is voluntarily dismissed with prejudice.

(Doc. 90). 19 In relevant part, Rule 41(a)(1)(A) provides as follows: 20 [A] plaintiff may dismiss
an action without a court order by filing: (i) a notice of dismissal before the opposing party serves
either an answer or a motion for 21 summary judgment; or (ii) a stipulation of dismissal signed by
all parties who have 22 appeared. 23 “The plaintiff may dismiss some or all of the defendants, or
some or all of his claims, through a 24 Rule 41(a)(1) notice,” and the dismissal “automatically

terminates the action as to the defendants 25 who are the subjects of the notice.” Wilson v. City of San Jose, 111 F.3d 688, 692 (9th Cir.

1997). 26 Because the parties filed a stipulation of dismissal with prejudice under Rule 41(a), this 27 case has automatically terminated as to Defendant Trans Union LLC. Fed. R. Civ. P. 41(a)(1) (A). 28 Accordingly, the Clerk of Court is directed to TERMINATE Defendant Trans Union LLC. 1 This case shall remain OPEN pending resolution of Plaintiff’s case against the remaining 2 Defendants.

3 IT IS SO ORDERED. 4 5 Dated: January 14, 2026 /s/ Sheila K. Oberto. UNITED STATES MAGISTRATE JUDGE 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28