

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.

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