

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

Janice Schmidt, et al. v. Standard Life Insurance Company, et al.

Schmidt · No. 1:21-cv-01784-JLT-CDB · Decided January 12, 2026

OPINION

Schmidt

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 JANICE SCHMIDT, et al., Case No. 1:21-cv-01784-JLT-CDB 12

ORDER DIRECTING CLERK OF THE

13 Plaintiffs, COURT TO CLOSE CASE PURSUANT

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

14 RULES OF CIVIL PROCEDURE

STANDARD LIFE INSURANCE COMPANY,

15 et al., (Doc. 104) 16 Defendants. 17 18 Relevant Background 19 On December 17, 2021, Plaintiff Janice Schmidt commenced this action with the filing a 20 class action complaint against Defendants Standard Life Insurance Company and Protective Life 21 Insurance Company (“Defendants”). (Doc. 1). Plaintiff Judy A. Vann-Eubanks (together with 22 Plaintiff Schmidt, “Plaintiffs”) joined the action as co-plaintiff with the filing of first amended 23 complaint on September 30, 2022. See (Docs. 39, 40). Since December 12, 2023, this matter has 24 been stayed at the parties’ request pending resolution by the Ninth Circuit Court of Appeals of 25 several cases before it involving issues material to this litigation (see Doc. 92) and pending the 26 anticipated approval of a class action settlement by the U.S. District Court for the Southern District 27 of California that the parties here represented to this Court would resolve the claims at issue. See 28 (Docs. 99, 100, 102, 103). The settlement of the class action before the U.S. District Court for the 1 Southern District of California gained final approval on October 25, 2025. (Doc. 104 at 2). 2 Parties’ Stipulation of Dismissal 3 On January 9, 2026, the parties filed a jointly executed stipulated dismissal of this action 4 with prejudice. (Doc. 104). 5 The stipulated dismissal comports with the requirements of Fed. R. Civ. P. 41(a)(1)(A)(ii) 6 and Plaintiffs are entitled to dismiss the individual claims (at least) without court order. In a class 7 action, however, court approval of dismissal may be required under Rule 41(a)(2) if the class has 8 been certified. Specifically, Rule 23(e) provides that any claims arising out of either a (1) “certified 9 class” or (2) “class proposed to be certified for purposes of settlement ... may be settled, voluntarily 10

dismissed, or compromised only with the court's approval.” Fed. R. Civ. P. 23(e) (emphasis added). 11 In this case, the parties seek to dismiss all claims with prejudice, including Plaintiffs’ 12 individual claims and purportedly the claims of the putative class. (Doc. 104 at 2). Notwithstanding 13 the parties’ purported dismissal of putative class claims with prejudice, as noted above, given the 14 parties’ representations that (1) the claims are resolved through approval of a class action settlement 15 in the U.S. District Court for the Southern District of California, and (2) that court “now has 16 jurisdiction over Plaintiffs’ claims (Doc. 104 at 2), it does not appear that any claims asserted in 17 Plaintiffs’ operative complaint remain within this Court’s jurisdiction. Further, no class has been 18 certified in this action nor is there a class proposed to be certified for purposes of settlement. Id.; 19 see (Docs. 1, 92). Because no class has been certified in this case, and because any dismissal would 20 not affect putative class members’ possible claims, Rule 23(e) does not mandate either Court 21 approval of the parties’ stipulation to dismiss the action or notice to putative class members. See 22 *Titus v. BlueChip Financial*, 786 Fed. App’x. 694, 695 (9th Cir. 2019) (“Because no class has been 23 certified, Titus is the only plaintiff before the court ...”) (unpublished) (citing *Emp’rs-Teamsters 24 Local Nos. 175 & 505 Pension Tr. Fund v. Anchor Capital Advisors*, 498 F.3d 920, 924 (9th Cir. 25 2007)). 26 In light of the parties’ filing, the Court finds that Rule 23(e) does not require the Court’s 27 approval of the dismissal. This action shall be terminated by operation of law without further order 28 of the Court. *Comm. Space Mgmt. Co., Inc. v. Boeing Co., Inc.*, 193 F.3d 1074, 1077-78 (9th Cir. 1 | 1999). 2 Conclusion and Order 3 Accordingly, it is HEREBY ORDERED that: 4 1. The Clerk of the Court is HEREBY DIRECTED to CLOSE the case and adjust the 5 docket to reflect, pursuant to Rule 41(a)(1)(A)(i), dismissal with prejudice as to 6 Plaintiffs’ individual claims and without prejudice as to the putative class claims, 7 with each party to bear that party’s own attorney’s fees and costs except as otherwise 8 provided by the parties’ stipulation (Doc. 104); and 9 2. All other case management dates, conferences, and filing requirements, including 10 the status conference set for January 13, 2026 (Doc. 103), are HEREBY 11 VACATED. 12 | SO ORDERED. 'S | Dated: _ January 12, 2026 | hr

14 UNITED STATES MAGISTRATE JUDGE

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