

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
CALIFORNIA

Obillo v. i-Health Inc.

No. 24-cv-02459-PHK (N.D. Cal. June 2, 2025) · No. 24-cv-02459-PHK · Decided June 2, 2025

SUMMARY

The United States District Court for the Northern District of California directs the Clerk to close the case after reviewing the parties' joint stipulation of dismissal. The order explains that the stipulation is self-effectuating under Federal Rule of Civil Procedure 41(a)(1)(A)(ii), dismissing the plaintiff's individual claims with prejudice and putative class claims without prejudice, without requiring Rule 23(e) approval or notice because no class had been certified.

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 NORTHERN DISTRICT OF CALIFORNIA 6
SAN FRANCISCO DIVISION 7 8 MALIA OBILLO, Case No. 24-cv-02459-PHK 9 Plaintiff,
ORDER DIRECTING CLERK TO 10 v. CLOSE CASE PURSUANT TO RULE 41(a)(1) OF
THE FEDERAL RULES OF 11 I-HEALTH INC., CIVIL PROCEDURE 12 Defendant. Re: Dkt.
48 13 14 The Court has reviewed the Parties' Joint Stipulation of Dismissal, wherein the Parties 15
jointly stipulate to the dismissal with prejudice of Plaintiff's individual claims and to the dismissal
16 without prejudice of Plaintiff's putative class claims.

[Dkt. 48]. The Stipulation is self- 17 effectuating pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii).
Because no class has been certified in this 18 case, and because any dismissal would not affect
putative class members' claims, Rule 23(e) does 19 not mandate either Court approval of the
Parties' settlement or notice to putative class 20 members. See *Titus v. BlueChip Financial*, 786 F.
App'x 694, 695 (9th Cir.

2019) ("Because no 21 class has been certified, Titus is the only plaintiff before the court; once
she has dismissed her 22 claims with prejudice, no other plaintiff can step into her shoes to
continue this legal action."). 23 Accordingly, the Clerk of Court is DIRECTED to terminate this
action from the Court's 24 docket. *Comm. Space Mgmt. Co. v. Boeing Co.*, 193 F.3d 1074, 1077-
78 (9th Cir.

1999); see also 25 *Palma v. TK&K Servs.*, No. 1:23-cv-00434-JLT-CDB, 2023 WL 7167632, at *1
(E.D. Cal. Oct. 26 21, 2023) ("In light of the parties' filing that is consistent with Rule 41(a)(1)(A)
(ii) and the Court's 27 finding above that under the circumstances, Rule 23(e) does not require
Court approval of the] Court."). 2 IT IS SO ORDERED. 3 Dated: June 2, 2025 4 ' PETER H.

KANG 5 United States Magistrate Judge 6 7 8 9 10 11 qa 12 13 «14 15 16 Oo Z 18 19 20 21 22
23 24 25 26 27 28