JS-6

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

LILLIAN JURDI,

Plaintiff,

v.

NIKE INC., *et al.*,

Defendants.

Case No. 2:24-cv-08093-FLA (Ex)

ORDER DISMISSING ACTION [DKT. 49] AND DENYING AS MOOT DEFENDANT'S MOTION TO DISMISS [DKT. 20]

On June 16, 2025, Plaintiff Lillian Jurdi ("Plaintiff") filed a Notice of Voluntary Dismissal (Dkt. 49), requesting the court dismiss the action without prejudice pursuant to Fed. R. Civ. P. 41(a)(1) ("Rule 41(a)(1)"), which allows a plaintiff to dismiss an action voluntarily without a court order by filing: "(i) a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or (ii) a stipulation of dismissal signed by all parties who have appeared."

Plaintiff is not entitled to dismissal under Rule 41(a)(1)(A)(i) because Defendant Nike Inc. ("Defendant") filed its Answer on December 19, 2024. *See* Dkt. 20. Further, as Plaintiff did not submit a stipulation of dismissal signed by all parties who appeared, Plaintiff is not entitled to dismissal under Rule 41(a)(1)(A)(ii). The court, therefore, DENIES Plaintiff's request for dismissal.

Nevertheless, as Defendant has not filed an opposition to the Notice of Voluntary Dismissal, the court, on its own motion, hereby VACATES all pending dates and deadlines and DISMISSES the action without prejudice. *See* Fed. R. Civ. P. 41(a)(2). Defendant's Motion to Dismiss, Dkt. 20, is DENIED as moot. The court retains jurisdiction to vacate this Order and to reopen the action within thirty (30) days from the date of this Order, should Defendant file timely an objection to the dismissal.

IT IS SO ORDERED.

Dated: June 17, 2025

FERNANDO L. AENLLE-ROCHA
United States District Judge