



Notice of Voluntary Dismissal v. Stipulation of Dismissal: FRCP 41(a)(1)

- If no Defendant has filed an Answer or Motion for Summary Judgment, an action may be dismissed by the Plaintiff by filing a **Notice of Voluntary Dismissal** using: **Civil Events → Other Filings → Notices → Notice of Voluntary Dismissal**.
 - Select filer (party you are representing) and finalize entry.
- Otherwise, where any Defendant has filed an Answer or Motion for Summary Judgment, an action may be dismissed voluntarily and without order of court by the filing of a **Stipulation of Dismissal** *signed by all parties who have appeared in the action* using: **Civil Events → Other Filings → Other Documents → Stipulation of Dismissal**.
 - Select filing attorney.
 - Select filer(s) (party or parties you are representing).
 - Make appropriate selection:
 - All Claims Dismissed INCLUDING Counter Claims - Cross Claims - etc. **Case to be Closed, or**
 - Claims still Pending. **Case to remain open.**

Notes:

- Your document title should match the document type and be filed using the correct, corresponding dismissal event (i.e. Notice of Voluntary Dismissal document should not be filed using the Stipulation of Dismissal event).
- After review, the Quality Control Clerk will administratively terminate the party/parties or the civil case, as appropriate, based on your filing. You will not receive an NEF confirming closure of your case/termination of party.