

United States District Court
EASTERN DISTRICT OF TEXAS
SHERMAN DIVISION

ANDRA GROUP, LP,

Plaintiff,

v.

VICTORIA’S SECRET STORES, LLC,
VICTORIA’S SECRET STORES BRAND
MANAGEMENT, INC., VICTORIA’S SECRET
DIRECT BRAND MANAGEMENT, LLC, and
L BRANDS, INC.

Defendants.

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§ Civil No.: 4:19-cv-288-ALM-KPJ
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ORDER OF DISMISSAL

Pending before the Court is Plaintiff’s Notice of Dismissal of Victoria’s Secret Stores, LLC (the “Notice”) (Dkt. #67). Plaintiff seeks to dismiss Victoria’s Secret Stores, LLC, the last remaining defendant in this case, without prejudice (Dkt. #67 at p. 1). Victoria’s Secret Stores, LLC has not served an answer or a motion for summary judgment.

Federal Rule of Civil Procedure 41(a)(1) provides that a plaintiff may voluntarily dismiss an action without court order in one of two ways: (1) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(i) by filing “a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment.” FED. R. CIV. P. 41(a)(1); or (2) a plaintiff may dismiss an action under Rule 41(a)(1)(A)(ii) by filing “a stipulation of dismissal signed by all parties who have appeared.” *Id.* As such, formal court action is not necessary in this case. However, the Court finds that in the interest of efficiency, justice, and maintaining the clarity of the record, an entry of order of dismissal is appropriate.

Accordingly, it is hereby **ORDERED, ADJUDGED, AND DECREED** that this entire action, and all of the claims asserted therein, be **DISMISSED WITHOUT PREJUDICE**. Each party shall bear its own costs.

All relief not previously granted is hereby **DENIED**, and the Clerk is directed to **CLOSE** this civil action.

IT IS SO ORDERED.