

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS**

**STANDING ORDER REGARDING
DISMISSAL PAPERS IN CONNECTION WITH SETTLEMENT
IN CASES ASSIGNED TO UNITED STATES DISTRICT JUDGE RODNEY GILSTRAP**

WHEREAS, uniformity in both the form and substance of the ways and means employed by parties to notify the Court of an agreed upon dismissal is of material benefit to the Court and enhances the Court's ability to better monitor and manage its docket; and

NOW, THEREFORE, IT IS ORDERED THAT, once parties in a case have resolved their disputes and the parties have filed a Motion to Stay and Notice of Settlement as provided for in the standing orders of this Court and thereafter, the parties are at the stage of filing the appropriate dismissal papers, the parties shall file such dismissal papers styled as one of the following:

- 1) a Motion to Dismiss Pursuant to Rule 41(a)(2), with an accompanying proposed Order; or
- 2) a Stipulation of Dismissal Pursuant to Rule 41(a)(1)(A)(ii), signed by all parties who have appeared; or
- 3) a Notice of Dismissal Pursuant to Rule 41(a)(1)(A)(i), in which the plaintiff affirmatively represents that the defendant has not served upon the plaintiff either an answer or a motion for summary judgment.


Such parties shall not, under any circumstances, file their attempt at dismissal styled merely as a "Notice." Should the parties elect, within the applicable circumstances, to seek dismissal in any manner other than (1) above [a Motion to Dismiss Pursuant to Rule 41(a)(2)], they shall simultaneously deliver a courtesy copy of their filing to the Chambers of this Court. Attempts at

dismissal by means of a Motion to Dismiss Pursuant to Rule 41(a)(2) shall not require that a courtesy copy be delivered to Chambers.

This Standing Order supplements but does not supersede the Rules of Practice for Cases before the Eastern District of Texas.

So Ordered this

Feb 19, 2016



RODNEY GILSTRAP
UNITED STATES DISTRICT JUDGE