UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

GHAUS MALIK, et al.,

Plaintiffs,

v.

FARHAN MALIK, et al.,

Defendants.

No. 2:23–cv–01344–CKD

ORDER

On November 7, 2025, the Court directed the parties to meet and confer about the remaining counterclaims in this action and file a joint status report. (ECF No. 134.) Since then, Farhan Malik has requested a dismissal of his counterclaims, and all parties have stipulated to dismissal of these counterclaims pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii) and 41(c). (ECF Nos. 137 & 139.) Rule 41(a)(1)(A) provides that "the plaintiff may dismiss an action without a court order by filing . . . (ii) a stipulation of dismissal signed by all parties who have appeared." Rule 41(c) provides that this rule applies to dismissal of counterclaims.

Similarly, John Malik has requested dismissal of his counterclaims pursuant to Rules 41(a)(2) and 41(c). (ECF No. 138.) Rule 41(a)(2) provides that "an action may be dismissed at the plaintiff's request only by court order, on terms that the court considers proper." The parties have filed a Joint Status Report essentially stating that no one wishes to litigate the counterclaims. (ECF No. 140.)



AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Accordingly, IT IS HEREBY ORDERED that:

1. Farhan Malik's motion to dismiss (ECF No. 137) is GRANTED;
2. All counterclaims asserted by Farhan Malik (ECF No. 98) are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii);
3. John Malik's motion to withdraw (ECF No. 138) is GRANTED;
4. All counterclaims asserted by John Malik (ECF No. 96) are dismissed without prejudice pursuant to Federal Rule of Civil Procedure 41(a)(2); and
5. The Clerk of Court is directed to close this case.

Dated: November 24, 2025

CAROLYN K. DELANEY
UNITED STATES MAGISTRATE JUDGE

2/malik1344.vol dismiss