

In the United States Court of Federal Claims

No. 20-737C
(Filed: April 18, 2022)

 JOSHUA J. ANGEL, *
 *
 Plaintiff, *
 *
 v. *
 *
 THE UNITED STATES, *
 *
 Defendant. *

ORDER

On April 14, 2020, plaintiff filed a motion which attempts to combine his status report, a motion to lift the stay in this case, and a request that the court entertain his “Stipulation and Notice of Voluntary Dismissal Pursuant to F.R.C.P. 41(a)(1)(A)(i).” Pl.’s Mot. 1, 10. The court denies plaintiff’s motion for the reasons set forth below.

Combined filings are generally disfavored because they introduce confusion to the court’s docket. In this filing, in particular, plaintiff attempts to combine a status report, a motion to lift the stay in this case, and a dismissal request. Further, for the dismissal request plaintiff relies on the Federal Rules of Civil Procedure rather than the Rules of the United States Court of Federal Claims (“RCFC”). Finally, plaintiff makes a specific request that the court retain jurisdiction over a purported settlement agreement and “any issue relating thereto, including but not limited to, specific performance, disaffirmance, implementation, enforcement, and declaratory judgment embodied therein.” *Id.* at 8.

Turning first to the status report, it gives plaintiff’s perspective on the procedural posture of this case. Because this case is stayed, no such report is necessary. As for the motion to lift the stay, defendant’s position, as reported by plaintiff, is that the stay should continue at least through May 23, 2022, and that the parties’ joint status report is due on or before June 22, 2022. *Id.* at 8. That interpretation of the court’s order of March 24, 2022, is correct. There is no efficiency in lifting the stay in this case at this time.

The court now turns to plaintiff’s dismissal request. First, the court cannot permit plaintiff to confound a notice of voluntary dismissal under RCFC 41(a)(1)(A)(i), with a stipulation of dismissal under RCFC 41(a)(1)(A)(ii). Because plaintiff is acting unilaterally, his only option for dismissal of this case is to file a notice of voluntary dismissal under RCFC 41(a)(1)(A)(i). Any such notice must be filed separately and cannot use the word stipulation. Second, his notice may indicate that the dismissal is without, or with, prejudice, but any

additional commentary regarding the significance of the dismissal is ineffective and will be ignored by the court once the case has been dismissed.

Accordingly, plaintiff's motion and all of the requests stated therein are **DENIED**. The clerk is directed to reject any filings in this case, other than a notice of voluntary dismissal, until the parties file their joint status report.

IT IS SO ORDERED.


MARGARET M. SWEENEY
Senior Judge