

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

JUDY MCGOVERN,

Plaintiff,

-vs-

Case No. 2:09-cv-422-FtM-SPC

J.C. PENNEY CORPORATION, INC. a foreign
profit corporation,

Defendant.

ORDER

This matter comes before the Court on The Plaintiff Judy McGovern and the Defendant J.C. Penny Corporation, Inc.'s Stipulation of Dismissal (Doc. #19) filed on April 15, 2010. The above parties consented to proceed before a United States Magistrate Judge pursuant to 28 U.S.C. 636(c). This Court has now been advised by counsel that the above action has been resolved and the Parties move to have the matter dismissed with prejudice.

Accordingly, it is now

ORDERED:

That this cause is **DISMISSED with prejudice** subject to the right of any party, within thirty (30) days from the date of this Order, to submit a stipulated form of final judgment or to reopen the action upon a showing of good cause. *See*, Local Rule 3.08(b). All pending motions are hereby denied as moot.

(1) All Parties will bear their own attorney's fees and costs as stipulated.

(2) The Final Pretrial Conference Scheduled for April 23, 2010, at 9:30 am is hereby
CANCELLED.

(3) The Clerk of the Court shall **CLOSE** the case.

DONE AND ORDERED at Fort Myers, Florida, this 19th day of April, 2010.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record