

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF ALABAMA  
SOUTHERN DIVISION**

<b>GAYLE OVERTON,</b> <b>Plaintiff,</b>	)	
	)	
	)	
v.	)	<b>CIVIL ACTION NO. 10-00491-KD-C</b>
	)	
<b>WYETH, LLC, et al.,</b>	)	
<b>Defendants.</b>	)	

**ORDER**

This matter is before the Court on the Plaintiff's "Notice of Voluntary Dismissal of All Claims Alleged Against Defendant McKesson Corporation" (Doc. 58).

Specifically, Plaintiff voluntarily moves for all of her claims against Defendant McKesson Corporation to be dismissed without prejudice, each party to bear its own costs. Plaintiff represents that Defendant McKesson stipulates and agrees to this dismissal.

The Court construes Plaintiff's Notice as a Rule 41(a)(1)(A)(ii) Stipulation of Dismissal given that Defendant McKesson has already appeared and answered in this case. (Doc. 53). The Stipulation is also signed by counsel for both parties, Plaintiff and Defendant McKesson.

Accordingly, it is **ORDERED** that all of the Plaintiff's claims against Defendant McKesson Corporation are hereby **DISMISSED without prejudice**.

Each party shall bear his or its own costs.

Nothing herein shall be construed as dismissing any of the Plaintiff's claims against the remaining defendants.

**DONE and ORDERED** this the **22<sup>nd</sup>** day of **March 2011**.

/s/ Kristi K. DuBose \_\_\_\_\_  
**KRISTI K. DUBOSE**  
**UNITED STATES DISTRICT JUDGE**