Pennsylvania National Mutual Casualty Insurance Company v. Brasfield & Gorrie, LLC Doc. 27

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

PENNSYLVANIA NATIONAL MUTUAL CASUALTY INSURANCE COMPANY,	)	
Plaintiff,	)	
vs.	)	**CIVIL ACTION NO. 11-0062-KD-N**
BRASFIELD & GORRIE, L.L.C., and WILLARD ROGERS PAINTING CONTRACTORS, INC.,	)	
Defendants.	)	

ORDER

This action is before the Court on the joint stipulation of dismissal wherein the parties who have appeared in this action - Pennsylvania National Mutual Casualty Insurance Company and Brasfield & Gorrie, L.L.C. - stipulate to the dismissal of this case with costs taxed as paid. The parties point out that defendant Willard Rogers Painting Contractors, Inc., has not appeared. Thus, the stipulation is signed by all parties who have appeared in this action.

Upon consideration of the stipulation, and pursuant to the provisions of Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, this action is **DISMISSED** without prejudice[1] and the Clerk of the Court is directed to close this file.

No other order shall be forthcoming from the Court except upon application by either party for final judgment as prescribed by Rule 58 of the Federal Rules of Civil Procedure.

Costs shall be taxed as paid as stipulated.

DONE and **ORDERED** this 10th day of November, 2011.

s / Kristi K DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE

[1] "Unless the notice or stipulation states otherwise, the dismissal is without prejudice." Fed. R. Civ. P. 41(a)(1)(B).

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