

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ARTHREX, INC. and ARTHREX  
MANUFACTURING, INC.,

Plaintiffs,

v.

Case No: 2:10-cv-151-FtM-38DNF

PARCUS MEDICAL, LLC,

Defendant.

---

**ORDER**<sup>1</sup>

This matter comes before the Court on Stipulation of Dismissal with Prejudice ([Doc. #525](#)) filed on August 25, 2014. [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)](#), allows a plaintiff to dismiss a case without a court order. The Rule reads in pertinent part:

Subject to Rules 23(e), 23.1, 23.2 and 66 and any applicable federal statute, the plaintiff may dismiss an action without a court order by filing:

- (i) A notice of dismissal before the opposing party serves either an answer or a motion for summary judgment; or
- (ii) A stipulation of dismissal signed by all parties who have appeared.

[Fed. R. Civ. P. 41\(a\)\(1\)\(A\)](#).

---

<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or Web sites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other Web sites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the Court has no agreements with any of these third parties or their Web sites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

In this instance, the Parties stipulate and agree that this matter, including all claims and counterclaims, is dismissed with prejudice and with each party bearing its own fees and costs. All Parties have signed the stipulation. Thus, pursuant to [Rule 41\(a\)\(1\)\(A\)\(ii\)](#) this matter is dismissed with prejudice.

Accordingly, it is now

**ORDERED:**

This matter is **DISMISSED with prejudice**. The Clerk is directed to close the file, terminate any pending motion, and enter judgment accordingly.

**DONE** and **ORDERED** in Fort Myers, Florida this 25th day of August, 2014.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record