

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JULIE BINDER,

Plaintiff,

v.

Case No: 2:13-cv-291-FtM-38UAM

PRUDENTIAL INSURANCE
COMPANY OF AMERICA,

Defendant.

ORDER¹

This matter comes before the Court on Stipulation of Dismissal ([Doc. #39](#)) filed on February 19, 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\(a\)\(1\)\(A\)](#).

In this instance, the Parties stipulate that they have settled this matter. The Parties requests the Court to issue an order dismissing this matter with prejudice. In addition, the

¹ 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.

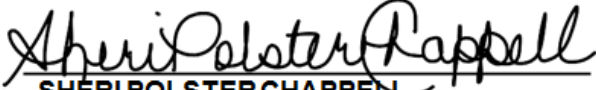
Parties indicate that each party will bear its own attorneys' fees and costs. Counsel for both Parties have signed the stipulation document.

Accordingly, it is now

ORDERED:

1. This cause is **DISMISSED with prejudice**.
2. The Clerk of Court is directed to **CLOSE** the case, terminate any pending motions and enter judgment accordingly.

DONE and **ORDERED** in Fort Myers, Florida this 20th day of February, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record