

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MICKEY R. JONES,

Plaintiff,

v.

Case No: 2:13-cv-843-FtM-38CM

GMAC MORTGAGE LLC, EQUIFAX
INFORMATION SERVICES, LLC
and EXPERIAN INFORMATION
SOLUTIONS, INC.,

Defendants.

ORDER¹

This matter comes before the Court on Amended Joint Stipulation of Dismissal with Prejudice ([Doc. #29](#)) filed on March 11, 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\(a\)\(1\)\(A\)](#).

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In this instance, all parties remaining in this action stipulate to dismiss the claims against Defendant Experian Information Solutions, Inc. with prejudice. This stipulation of dismissal is signed by all parties who have appeared in this action. The stipulation also indicates that each party is to bear its own costs. A controversy still remains with Plaintiff Mickey R. Jones against Defendant GMAC Mortgage, LLC and Defendant Equifax Information Services, LLC.

Accordingly, it is now

ORDERED:

- (1) Pursuant to [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(ii\)](#), this action is **DISMISSED with prejudice** with regard to Defendant Experian Information Solutions, Inc. **only**.
- (2) The Clerk is directed to terminate Defendant Experian Information Solutions, Inc. from this action.

DONE and **ORDERED** in Fort Myers, Florida this 12th day of March, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record