

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

THE UNITED STATES of AMERICA

ex. rel.

LAWRENCE WALDMAN and PATRICIA
CLARK,

Plaintiffs,

v.

Case No: 2:14-cv-716-FtM-38-CM

JOANNE T. KOWALSKI; ACE
HOMECARE, LLC;; BROOKDALE
HOME HEALTH, LLC; BROOKDALE
SENIOR LIVING, INC.;
COMPREHENSIVE HOME CARE OF
SOWTHWEST FLORIDA, LLC;
COMPREHENSIVE WELLNESS
SERVICES, INC.; INFINITY HOME
CARE, LLC; INFINITY HOME CARE
OF PORT CHARLOTTE, LLC;
NURSE ON CALL, INC.; AND
NURSE-ON-CALL HOME CARE,
INC.,

Defendants.

ORDER¹

This matter is before the Court on the Plaintiffs/Relators, Lawrence Waldman and Patricia Clark's, Voluntary Dismissal (Doc. #S-32) filed on September 23, 2016. [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(i\)](#) allows a plaintiff to dismiss an action voluntarily

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before the opposing party serves either an answer or a motion for summary judgment. This dismissal is effective upon filing and requires no further action by the Court. See [Anago Franchising, Inc. v. Shaz, LLC, 677 F.3d 1272, 1278 \(11th Cir. 2012\)](#).


Accordingly, it is hereby

ORDERED:

In compliance with [Fed. R. Civ. P. 41\(a\)](#), this action is **DISMISSED** without prejudice.

1. The Relators' Complaint, the United States' Notice of Election to Decline Intervention, the Notice of Voluntary Dismissal, and this Order shall be unsealed.
2. All other papers filed in this action shall remain under seal.
3. The Clerk of the Court is directed to enter judgment accordingly, terminate all pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida on October 6, 2016.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record