

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

LEE MEMORIAL HEALTH SYSTEM,

Plaintiff,

v.

Case No: 2:14-cv-136-FtM-38CM

HUMANA INSURANCE COMPANY,  
HUMANA MEDICAL PLAN INC. and  
HUMANA HEALTH INSURANCE  
COMPANY OF FLORIDA, INC.,

Defendants.

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**ORDER**

This matter comes before the Court on the Plaintiff, Lee Memorial Health System's Notice of Voluntary Dismissal ([Doc. #12](#)) filed on April 14, 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 Plaintiff, Lee Memorial Health Systems informs the Court that it voluntarily dismisses the Complaint with prejudice. No answer or summary judgment has been filed, therefore; the case is due to be dismissed with prejudice.

Accordingly, it is now

**ORDERED:**

The Plaintiff, Lee Memorial Health System's Notice of Voluntary Dismissal ([Doc. #12](#)) is **GRANTED**. The Clerk of the Court is directed to enter judgment accordingly, **DISMISS** the case with prejudice, terminate any pending motions, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 15th day of April, 2014.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record