

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MALIBU MEDIA, LLC,

Plaintiff,

v.

Case No: 2:14-cv-156-FtM-38CM

JOHN DOE,

Defendant.

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

This matter comes before the Court on the Plaintiff, Malibu Media, LLC's Notice of Settlement and Voluntary Dismissal with Prejudice of the Defendant, John Doe ([Doc. #10](#)) filed on June 3, 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 informs the Court that the Parties have settled the case and advises that it voluntarily dismisses the Complaint with prejudice. No answer

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<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.

or summary judgment has been filed, therefore; the case is due to be dismissed with prejudice.

Accordingly, it is now

**ORDERED:**

The Plaintiff, Malibu Media, LLC's Notice of Settlement and Voluntary Dismissal with Prejudice of the Defendant, John Doe ([Doc. #10](#)) is **GRANTED**. The Clerk of the Court is directed to **DISMISS** the case with prejudice, enter judgment accordingly, terminate all pending motions, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 5th day of June, 2014.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record