

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LENA HEDENGREN, an individual

Plaintiff,

v.

Case No: 2:14-cv-333-FtM-38DNF

ESTERO FIRE RESCUE and
SCOTT VANDERBROOK,

Defendants.

ORDER¹

This matter comes before the Court on Joint Stipulation of Dismissal with Prejudice as to Defendant Scott Vanderbrook ([Doc. #43](#)) filed on April 30, 2015. [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)](#), allows a plaintiff to dismiss a case without a court order. [Rule 41\(a\)\(1\)\(A\)](#) reads, in pertinent part,

[s]ubject 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\(a\)\(1\)\(A\)](#).

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.

In this instance, the parties stipulate that all counts asserted against Defendant Scott Vanderbrook are dismissed with prejudice, with each party to bear their own attorney's fees and costs. All parties have signed the stipulation.

Accordingly, it is now

ORDERED:

Pursuant to Joint Stipulation of Dismissal with Prejudice as to Defendant Scott Vanderbrook ([Doc. #43](#)) and [Rule 41\(a\)\(1\)\(A\)\(ii\)](#), the Complaint ([Doc. #1](#)) is **DISMISSED with prejudice** as to Defendant Scott Vanderbrook, **only**. The Clerk is directed to terminate Defendant Scott Vanderbrook from the docket. This case remains pending as it relates to all other parties.

DONE and **ORDERED** in Fort Myers, Florida this 30th day of April, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record