

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DISH NETWORK L.L.C., ECHOSTAR
TECHNOLOGIES L.L.C. and
NAGRASTAR LLC,

Plaintiffs,

v.

Case No: 2:14-cv-522-FtM-38CM

HOLLY WOODWARD,

Defendant.

_____ /

ORDER¹

This matter comes before the Court on Notice of Dismissal ([Doc. #14](#)) filed on December 23, 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, Plaintiffs Dish Network LLC, Echostar Technologies LLC, and Nagrastar LLC indicate Plaintiffs have been unable to locate and presumably serve Defendant Holly Woodward. As a result, Plaintiffs wish to dismiss this case without

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prejudice. Since Defendant has not appeared in this case and this notice is signed by all Plaintiffs, the Court finds this matter is due to be dismissed without prejudice pursuant to [Rule 41\(a\)\(1\)\(A\)\(i\)](#).

Accordingly, it is now

ORDERED:

Pursuant to the Plaintiffs' Notice of Dismissal and [Rule 41\(a\)\(1\)\(A\)\(i\)](#), the Complaint ([Doc. #1](#)) is **DISMISSED without prejudice**. The Clerk is directed to close the file, terminate any and all pending motions, and enter judgment accordingly.

DONE and **ORDERED** in Fort Myers, Florida this 24th day of December, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record