

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SAXON WARBOYS,

Plaintiff,

v.

Case No: 2:14-cv-529-FtM-38CM

ORTHO-MCNEIL-JANSSEN
PHARMACEUTICALS, INC., a
Pennsylvania corporation f/k/a
JANSSEN PHARMACEUTICA INC.;
and JOHNSON & JOHNSON, a New
Jersey corporation, d/b/a JOHNSON
& JOHNSON,

Defendants.

ORDER¹

This matter is before the Court on Plaintiff Saxon Warboys' Notice of Voluntary Dismissal Without Prejudice ([Doc. #6](#)) filed on December 2, 2014. [Rule 41\(a\)\(1\)\(A\) of the Federal Rules of Civil Procedure](#) allows a plaintiff to dismiss a case voluntarily without a court order. [Rule 41\(a\)\(1\)\(A\)](#) reads, in pertinent part, that

[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.

Plaintiff seeks to dismiss the above-captioned case without prejudice. Defendants have filed neither an answer nor motion for summary judgment. The Court, therefore, dismisses the case without prejudice.

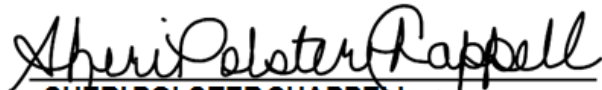
Accordingly, it is now

ORDERED:

(1) Plaintiff Saxon Warboys' Notice of Voluntary Dismissal Without Prejudice ([Doc. #6](#)) is **GRANTED**. The above-captioned case is **dismissed without prejudice**.

(2) The Clerk of the Court is **DIRECTED** to enter judgment accordingly, terminate any pending motions, and close the case.

DONE and **ORDERED** in Fort Myers, Florida this 3rd day of December, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record