

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

KATHRYN MCCARDELL,

Plaintiff,

v.

Case No: 2:14-cv-542-FtM-38DNF

RAC ACCEPTANCE EAST, LLC,

Defendant.

ORDER¹

This matter comes before the Court on Joint Stipulation for Dismissal with Prejudice ([Doc. #11](#)) filed on May 5, 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\(a\)\(1\)\(A\)](#).

In this instance, the parties agree to dismiss this matter with prejudice. All parties have signed the agreement.


Accordingly, it is now

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ORDERED:

Pursuant to Joint Stipulation for Dismissal with Prejudice ([Doc. #11](#)) and [Rule 41\(a\)\(1\)\(A\)\(ii\)](#), the Complaint ([Doc. #1](#)) is **DISMISSED with 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 5th day of May, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record