

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ALFRED CLEET,

Plaintiff,

v.

Case No: 2:14-cv-667-FtM-38CM

OCWEN LOAN SERVICING, LLC,

Defendant.

ORDER¹

This matter is before the Court on Plaintiff Alfred Cleet and Defendant Ocwen Loan Servicing, LLC's Stipulation of Dismissal With Prejudice ([Doc. #17](#)) filed on February 10, 2015. [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\(a\)\(1\)\(A\)](#).

Here, the parties stipulate to dismissing the above-captioned case with prejudice and with each side to bear its own fees, costs, and expenses. ([Doc. #17](#)). Both parties

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have signed the stipulation. ([Doc. #17](#)). The Court thus dismisses this case with prejudice under [Rule 41\(a\)\(1\)\(A\)\(ii\)](#).

Accordingly, it is now

ORDERED:

- (1) Plaintiff Alfred Cleet and Defendant Ocwen Loan Servicing, LLC's Stipulation of Dismissal With Prejudice ([Doc. #17](#)) is **GRANTED**.
- (2) The Clerk of the Court is **DIRECTED** to enter judgment accordingly, terminate any pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 10th day of February, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record