

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

USA,

Plaintiff,

v.

Case No: 2:15-cv-91-FtM-38CM

8 LUXURY VEHICLES and JITCO  
GROUP LIMITED,

Defendants.

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**ORDER**<sup>1</sup>

This matter comes before the Court on Magistrate Judge Carol Mirando's Report and Recommendation on Defendant JITCO Group Limited's ("JITCO") Motion for Attorneys' Fees and Costs ([Doc. #144](#)), the Parties' Joint Notice of Settlement ([Doc. #145](#)), and the Parties' Joint Stipulation of Voluntary Withdrawal with Prejudice of JITCO's Motion for Attorneys' Fees and Costs ([Doc. #146](#)).

On February 24, 2015, JITCO filed a Motion for Attorneys' Fees and Costs ([Doc. #115](#)), to which Plaintiff United States responded on April 1, 2015 ([Doc. #122](#)). Thereafter, Magistrate Judge Carol Mirando issued a Report and Recommendation, recommending that the Motion be granted in part and denied in part ([Doc. #144](#)). Now, the Parties have alerted the Court that they jointly stipulate to the withdrawal with prejudice of JITCO's Motion on the basis of a settlement agreement. ([Doc. #146](#)). The

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Parties ask the Court to retain jurisdiction over this action to adjudicate any issues arising out of that settlement agreement. ([Doc. #146](#)). The Court finds good cause to grant the Parties' Joint Stipulation ([Doc. #146](#)).

Accordingly, it is now

**ORDERED:**

1. Defendant JITCO Group Limited's Motion for Attorneys' Fees and Costs ([Doc. #115](#)) and Magistrate Judge Carol Mirando's Report and Recommendation ([Doc. #144](#)) are **TERMINATED as moot**.
2. This action is **DISMISSED without prejudice** subject to the right of any Party, within sixty (60) days from the date of this Order, October 16, 2015, to submit a stipulated form of final judgment or request an extension of time, should they so choose, or for any Party to move to reopen the action, upon a showing of good cause. See Local Rule 3.08(b). After the sixty (60) day period, however, without further order, this dismissal shall be deemed *with prejudice*.
3. The Clerk is directed to terminate any previously scheduled deadlines and administratively close the case pending further order.

**DONE** and **ORDERED** in Fort Myers, Florida this 17th day of August, 2015.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record