

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ALEXIS MAYO, an individual

Plaintiff,

v.

Case No: 2:15-cv-115-FtM-38MRM

JEAN NICOLE HAIR SALONS, INC.,
DOUGLAS S. GAST and SANDRA K.
GAST,

Defendants.

ORDER¹

This matter comes before the Court on the Plaintiff Alexis Mayo and Defendants Jean Nicole Hair Salons, Inc., Douglas S. Gast, and Sandra K. Gast's Stipulation of Dismissal ([Doc. #32](#)) filed on September 1, 2015. [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\(a\)\(1\)\(A\)](#).

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. 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 websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. 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.

In this instance, the Parties advise that Count I of the Amended Complaint is voluntarily dismissed with prejudice and Count II of the Amended Complaint is dismissed without prejudice. Therefore, the case is due to be dismissed with Count I dismissed with prejudice and Count II dismissed without prejudice. Each Party will bear their own attorney's fees and costs.

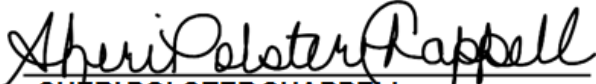
Accordingly, it is now

ORDERED:

The Plaintiff Alexis Mayo and Defendants Jean Nicole Hair Salons, Inc., Douglas S. Gast, and Sandra K. Gast's Stipulation of Dismissal ([Doc. #32](#)) is **GRANTED**.

1. Count I of the Amended Complaint is **DISMISSED** with prejudice.
2. Count II of the Amended Complaint is **DISMISSED** without prejudice.
3. The Clerk of the Court is directed to enter judgment accordingly, terminate all pending motions and deadlines and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 2nd day of September, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record