

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JEFFREY JOEL JUDY,

Plaintiff,

v.

Case No:2:15-cv-125-FtM-38-SPC-CM

DOLPHIN KEY RESORT, LLC,

Defendant.

**FINAL ORDER APPROVING AND ENTERING CONSENT DECREE AND
DISMISSING CASE WITH PREJUDICE¹**

This matter is before the Court upon the Parties' Joint Motion for Approval and Entry of Consent Decree and to Dismiss with Prejudice, filed April 28, 2015. (Doc. #18). The Court has carefully reviewed the Consent Decree and is otherwise fully advised.

Plaintiff brought suit against Defendant, a hotel, on February 26, 2014 for violations of Title III of the Americans with Disabilities Act allegedly resulting in Plaintiff's difficulty accessing Defendant's goods and services because of architectural barriers. (Doc. #1).

Defendants filed a Notice of Settlement (Doc. #16), after which the Court ordered this case to be administratively closed (Doc. #17). The Parties now move the Court to enter a Consent Decree and to Dismiss with Prejudice. Although the Parties request that

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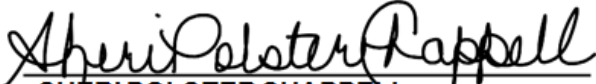
the Court maintain jurisdiction over the matter, the Consent Decree states the facility is ADA compliant. As a general rule, this Court does not retain jurisdiction over matters that are resolved and declines to do so in this case.

Accordingly, it is now

ORDERED:

- (1) The Joint Motion for Approval and Entry of Consent Decree (Doc. #18) is hereby **GRANTED**;
- (2) The Consent Decree is **APPROVED** and **ENTERED**.
- (3) The Court does not retain jurisdiction over this matter for the purpose of enforcement of the settlement;
- (4) This action is **DISMISSED** with prejudice. 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 9th day of June 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record