

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.

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**FINAL ORDER APPROVING AND ENTERING CONSENT DECREE AND  
DISMISSING CASE WITH PREJUDICE<sup>1</sup>**

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