

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

HAYLEY LAFAVE, RUSSELL LAFAVE,
ALINDALE S. LOUIS and FAKEELA
HOWELL-LOUIS,

Plaintiffs,

v.

Case No: 2:15-cv-392-FtM-38CM

GALAXY INTERNATIONAL
PURCHASING, LLC. and MARCADIS
SINGER, P.A.,

Defendants.

ORDER¹

This matter is before the Court on Plaintiffs' Stipulation of Dismissal with Prejudice filed on August 5, 2015. ([Doc. #10](#)). [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\(a\)\(1\)\(A\)](#).

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In this instance, Plaintiffs stipulate to dismissal under [Rule 41\(a\)\(1\)\(A\)\(i\)](#). ([Doc. #10](#)). Because Defendants have yet to serve either an answer or a motion for summary judgment, the Court finds good cause to dismiss the case.

Accordingly, it is now

ORDERED:

- (1) Plaintiffs' Stipulation of Dismissal with Prejudice ([Doc. #10](#)) is **GRANTED**.
- (2) This case is **DISMISSED with prejudice**.
- (3) The Clerk of the Court is **DIRECTED** to enter judgment accordingly, terminate any pending motions, and close the file.

DONE and **ORDERED** in Fort Myers, Florida, this 7th day of August, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record