

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

GEORGE T. GOROS,

Plaintiff,

v.

Case No: 2:16-cv-233-FtM-38CM

SUN LIFE ASSURANCE COMPANY  
OF CANADA,

Defendant.

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

This matter comes before the Court on Plaintiff George Goros and Defendant Sun Life Assurance Company of Canada's Joint Motion to Withdraw Defendant's Motion for Attorneys' Fees and Non-Taxable Costs and Stipulation of Dismissal With Prejudice. ([Doc. 37](#)). The parties jointly move the Court to treat as withdrawn Defendant's Motion for Attorneys' Fees and Non-Taxable Costs ([Doc. 34](#)). They also stipulate to dismissing this action.

[Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#) allows a plaintiff to dismiss an action voluntarily if a stipulation of dismissal is signed by all parties who have appeared. This dismissal is effective upon filing and requires no further action by the Court. See [Anago](#)

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*Franchising, Inc. v. Shaz, LLC*, 677 F.3d 1272, 1278 (11th Cir. 2012). Here, the parties stipulate to dismissing this case with prejudice and with each party to bear its own fees and costs.

Accordingly, it is now

**ORDERED:**

(1) Plaintiff George T. Goros and Defendant Sun Life Assurance Company of Canada's Joint Motion to Withdraw Defendant's Motion for Attorneys' Fees and Non-Taxable Costs and Stipulation of Dismissal With Prejudice ([Doc. 37](#)) is

**GRANTED.**

(2) This action is **DISMISSED with prejudice.**

(3) Defendant's Motion for Attorneys' Fees and Non-Taxable Costs ([Doc. 34](#)) is

**DENIED as moot.**

(4) The Clerk is **DIRECTED** to enter an amended judgment accordingly and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 6th day of October 2017.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record