

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LESLY METHELUS, ROSALBA ORTIZ,
ZOILA LORENZO, MARIA ANGE
JOSEPH, EMILE ANTOINE, LUCENIE
HILAIRE DUROSIER, MARTA ALONSO
and WAYBERT NICOLAS, on behalf of
Y.M., a minor, on behalf of themselves
and all others similarly situated

Plaintiffs,

v.

Case No: 2:16-cv-379-FtM-38MRM

THE SCHOOL BOARD OF COLLIER
COUNTY, FLORIDA and KAMELA
PATTON,

Defendants.

ORDER¹

This matter comes before the Court on the Stipulated Dismissal of Claims of Lesly Methelus, Rosalba Ortiz, Zoila Lorenzo, Marie Ange Joseph and Waybert Nicolas. ([Doc. 110](#)). [Federal Rule of Civil Procedure 41\(a\)\(1\)\(A\)\(ii\)](#) allows a plaintiff to dismiss an action voluntarily by filing a stipulation of dismissal signed by all parties who have appeared. This dismissal is effective upon filing and requires no further action by the Court. See [Anago Franchising, Inc. v. Shaz, LLC, 677 F.3d 1272, 1278 \(11th Cir. 2012\)](#).

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.

Here, the parties stipulate to the voluntary dismissal of the claims of Plaintiffs Lesley Methelus, on behalf of Y.M., Rosalba Ortiz, on behalf of G.O., Zoila Lorenzo, on behalf of M.D., Marie Ange Joseph, on behalf of K.V., and Waybert Nicolas. ([Doc. 110](#)). But this stipulated dismissal does not end this litigation, as Plaintiffs N.A., T.J.H., and I.A. continue to pursue their claims.

Accordingly, it is now

ORDERED:

- (1) The Stipulated Dismissal of Claims of Lesly Methelus, Rosalba Ortiz, Zoila Lorenzo, Marie Ange Joseph, and Waybert Nicolas ([Doc. 110](#)) is **GRANTED**.
- (2) The Clerk of Court is **DIRECTED** to terminate Plaintiffs Lesley Methelus, on behalf of Y.M., Rosalba Ortiz, on behalf of G.O., Zoila Lorenzo, on behalf of M.D., Marie Ange Joseph, on behalf of K.V., and Waybert Nicolas from the case file.
- (3) Plaintiffs' Motion for Voluntary Dismissal ([Doc. 108](#)) is **DENIED as moot**.

DONE and **ORDERED** in Fort Myers, Florida this 2nd day of August, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record