

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

INTERNATIONAL FIDELITY
INSURANCE COMPANY, a foreign
corporation

Plaintiff,

v.

Case No: 2:17-cv-114-FtM-38MRM

ALLIED RECYCLING ARCADIA,
INC., ABC RECYCLING COMPANY,
INCORPORATED, CHESTER
ADAMSON and CONNIE
ADAMSON,

Defendants.

OPINION AND ORDER¹

This matter comes before the Court on the parties' Joint Motion for Entry of Consent Final Judgment ([Doc. 26](#)). The Court administratively closed this case per the parties' request to suspend all deadlines pending settlement. (Doc. 25; [Doc. 23](#)). Since then, they have agreed to a Consent Final Judgment ([Doc. 26-1](#)) that resolves all pending claims in accordance with their settlement agreement. ([Doc. 26](#)). They request the Court enter their Consent Final Judgment. ([Doc. 26](#)). This judgment will require Defendants to pay Plaintiff \$451,037.63 plus interest. It will also require the Court to retain jurisdiction:

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.

“Jurisdiction over the subject matter and the parties hereto is reserved for the purpose of entering such further Orders and Judgments as may be necessary and proper, including but not limited to, Orders and Judgments for Plaintiff’s execution activities.” ([Doc. 26-1 at 2](#)).

This Court, however, will not enter an order to dismiss a case and retain jurisdiction in the manner the parties request. This is especially true when it is unclear what “Plaintiff’s execution activities” mean. ([Doc. 26-1 at 2](#)). The parties, of course, are free to enter into any settlement agreement to resolve this case and to be enforced as any other contract in state court. But the Court declines to retain jurisdiction over the terms of an undisclosed settlement agreement.

Accordingly, it is now

ORDERED:

(1) The parties’ Joint Motion for Entry of Consent Final Judgment ([Doc. 26](#)) is

DENIED.

(2) The parties must jointly advise the Court, in writing, on or before **August 9, 2017**, how they wish to proceed. **Failure to respond will result in the Court administratively closing the case with prejudice in accordance with the Local Rules.**

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