

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

TAMPA BAY BUCCANEERS, and
NATIONAL FOOTBALL LEAGUE
MANAGEMENT COUNSEL,

Plaintiffs,

-v-

Case No. 8:05-cv-1887-T-24EAJ

KEENAN McCARDELL and
NATIONAL FOOTBALL LEAGUE
PLAYERS ASSOCIATION,

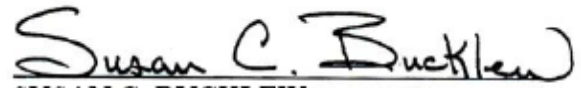
Defendants.

ORDER

This cause comes before the Court on Plaintiffs' Notice of Withdrawal of Petition to Confirm Arbitration Award (Doc. No. 3). The Court construes this notice of withdrawal as a motion to dismiss the action without prejudice. Under Fed. R. Civ. P. 41(a)(1), "an action may be dismissed by the plaintiff without order of court (i) by filing a notice of dismissal at any time before service by the adverse party of an answer or of a motion for summary judgment, whichever first occurs. . . ." A review of the case docket reveals that Plaintiffs have not yet perfected service on Defendants. Therefore, Plaintiffs may voluntarily dismiss the action without prejudice.

Accordingly, it is **ORDERED AND ADJUDGED** that Plaintiffs' Notice of Withdrawal of Petition to Confirm Arbitration Award (Doc. No. 3) is **GRANTED**. The clerk is directed to **CLOSE** this case and terminate any pending motions.

DONE AND ORDERED at Tampa, Florida, this 21st day of October, 2005.

Handwritten signature of Susan C. Bucklew in black ink.

SUSAN C. BUCKLEW

United States District Judge

Copies to:
Counsel of Record