

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

DIRECTV INC,

Plaintiff,

v.

CASE NO. 1:03-cv-00085-MP-AK

BRENT DIAMOND,

Defendants.

ORDER

This matter is before the Court on Doc. 40, Stipulation of Dismissal and request for Court to enter an order dismissing the case against Mr. Diamond. Previously, in doc. 37, the Court entered an order pursuant to a notice of settlement. The order dismissed the case against Mr. Diamond with prejudice but retained jurisdiction for 60 days to ensure that settlement was effected. Within the 60 days, the plaintiff filed a motion (doc. 38) to reopen the case and enforce the settlement agreement, arguing that Mr. Diamond had not complied with the terms of an oral settlement agreement. Before the Court could rule on that motion, however, the parties filed doc. 40, a stipulation of dismissal signed by both sides, which requested that this court dismiss the

claims against Mr. Diamond with prejudice and which did not request the Court to retain jurisdiction. Accordingly, it is hereby

ORDERED AND ADJUDGED:

1. The motion to reopen the case (doc. 38) is granted, for the limited purpose of entering the dismissal with prejudice requested in the stipulation of dismissal signed by both sides (doc. 40).
2. This case is dismissed with prejudice and the Clerk is directed to close this file and the Court will not retain jurisdiction.

DONE AND ORDERED this 13th day of October, 2005

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge