

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 07-60269-CIV-ZLOCH

DAVID HERARD,

Plaintiff,

vs.

FINAL JUDGMENT

ATN RESTAURANT, INC. d/b/a  
HARVEST CAFÉ, and MICHAEL  
YODICE,

Defendants.

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THIS MATTER is before the Court upon Defendants ATN Restaurant, Inc. d/b/a Harvest Cafe and Michael Yodice's Motion For Involuntary Dismissal For Violation Of Court Order Sanctioning Plaintiff And His Counsel And Requiring Various Documents To Be Produced For The Second Time (DE 51). For the reasons expressed in this Court's Order granting said Motion, entered separately, and pursuant to Federal Rules of Civil Procedure 41 and 58, it is

ORDERED AND ADJUDGED as follows:

1. Final Judgment be and the same is hereby ENTERED in favor of Defendants ATN Restaurant, Inc. d/b/a Harvest Cafe and Michael Yodice and against Plaintiff David Herard upon the Complaint filed herein. Plaintiff David Herard shall take nothing by this action and said Defendants shall go hence without day; and

2. To the extent not otherwise disposed of herein, all pending Motions are hereby DENIED as moot.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 19<sup>th</sup> day of November, 2007.



WILLIAM J. ZLOCH  
United States District Judge

Copies furnished:

All Counsel of Record