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## IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGAP NOV 19 AM 10:58 SAVANNAH DIVISION

| OOIDA RISK RETENTION GROUP, INC.,   | ) CLERK<br>SO. DIST. OF GA. |
|---|-----------------------------|
| Plaintiff,  | )<br>)                      |
| v.  | ) CASE NO. CV411-271        |
| WILLIAM DARNELL MOORE, as<br>Special Administrator of the<br>Estate of Charles Gary Moore,<br>VICTOR ARZILLO, d/b/a Sugartown | )<br>)<br>)                 |
| Xpress, and RICHARD E. BATH,  Defendants.   | )<br>)<br>)                 |

## ORDER

Before the Court is Plaintiff OOIDA Risk Retention Group's Notice of Voluntary Dismissal Without Prejudice. (Doc. 10.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action by filing "a notice of dismissal before the opposing party serves either an answer or a motion for summary judgment." Because no Defendants have filed an answer or motion for summary judgment in this case, Plaintiff's motion is GRANTED and this action is DISMISSED WITHOUT PREJUDICE. The Clerk of Court is DIRECTED to close this case.

SO ORDERED this 194 day of November 2012.

WILLIAM T. MOORE, JR

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF GEORGIA