

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

2014 OCT 22 PM 3:23

CLERK  
~~SO DIST. OF GA.~~


RK CONSTRUCTION & DEVELOPMENT )  
COMPANY, d/b/a Southern Pine )  
Company of Georgia, )  
 )  
Plaintiff, )  
 )  
v. )  
 )  
THE FREIGHT RATE COMPANY; MARCO )  
TRANSPORT SERVICES; and 3 WAY )  
SUB, LLC; )  
 )  
Defendants. )  
 )

CASE NO. CV414-047

O R D E R

Before the Court is the parties' Notice of Dismissal With Prejudice. (Doc. 18.) Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), a plaintiff may dismiss an action by filing "a stipulation of dismissal signed by all parties who have appeared." As requested, Plaintiff's claims against all Defendants are **DISMISSED WITH PREJUDICE**. Each party in this action shall bear its own costs and attorney fees. As a result of dismissal, Defendant 3 Way Sub, LLC's Motion for Judgment on the Pleadings (Doc. 6) and Plaintiff's Motion to Remand (Doc. 7) are both **DISMISSED AS MOOT**. The Clerk of Court is **DIRECTED** to close this case.

SO ORDERED this 22<sup>nd</sup> day of October 2014.

  
WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA