

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

DEMETRIUS ROSS, <i>on behalf of himself</i>)	
<i>and all others similarly situated, et al.,</i>)	
)	
Plaintiffs,)	
)	Case No. 15-CV-309-SMY-MAB
vs.)	
)	
GREG GOSSETT, et al,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

YANDLE, District Judge:

Pending before the Court is Plaintiffs’ Motion to Dismiss Certain Defendants (Doc. 501). Plaintiffs seek to dismiss without prejudice claims against Defendants who may not have been present during the relevant time period set forth in the Second Amended Complaint (Doc. 197). Defendants have not responded to the motion.

Federal Rule of Civil Procedure 41 allows for voluntary dismissals under certain circumstances, but the rule is circumscribed to dismissals of “actions,” not “parties” or “claims,” meaning that the rule should not be used to cleave away one claim or one party from a larger case. (Doc. 34); *See Taylor v. Brown*, 787 F.3d 851, 857-58 (7th Cir. 2015). While the Court acknowledges the plain reading of the rule, given the number of defendants in this case, it finds that dismissing the defendants identified in the Motion is appropriate in this case. *See Madsen v. Park City*, 6 F. Supp. 2d 938, 943 (N.D. Ill. 1998) (“In a multiple defendant case, it is permissible to voluntarily dismiss just some of the defendants.”). Accordingly, the Motion is **GRANTED** and The following Defendants are **DISMISSED without prejudice**:

Richard Harrington	Jason Migneron	Michael Samuel
Rodney Brady	Jason Morris	George Welborn
Brendan Ankrom	Wendy Parks	Tony Payne, Jr.
Stephanie Beasley	Gary Perkins	Michael Monje
Robert Blackwell	Brandon Richey	Tracy Lee
Mark Bower	Minh Scott	John Carter
Kyle Brooks	Eric Shelton	Louis Browder
Christopher Cales	Mitch Simmons	Ventures Jackson
Aaron Campbell	Sam Taylor	Denise Minor
James Cissell	Andrew Volk	Daniel Sullivan
Josh Curry	Rene Waters	Jack Townely
Samuel Dillon	James Best	Jeffrey Julius
Justin Dircks	Kent Brookman	Richard Lynch
Bryan Easton	John Tourville	Michael Durbin
M. Fluder	Kevin Reichert	Charles Hayden
Justin Hammers	Beau Purtle	James Studer
Kevin Hirsch	Patrick Trokey	Eric Welsh
Shayne Howell	Raymond Allen	Randall Bayler
Michael Jones	James Powell	Leif McCarthy
Tyler Jones	John Mich	Chad Ray
John Koch	Roger Waller	Earl Dixon
Alexander Lockhart	John Hoffman	Alan Dallas
	Raymond Groves	Martin Buchner

These defendants are dismissed without prejudice from this matter only and not as to any of the twenty consolidated cases.

IT IS SO ORDERED.

DATED: August 21, 2019

STACI M. YANDLE
United States District Judge