IN THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF INDIANA SOUTH BEND DIVISION

ROMAN FINNEGAN, et al.,)		
Plaintiffs,))		
vs.))	NO.	3:08-CV-503
LAUREL MYERS, et al.,))		
Defendants.))		

OPINION AND ORDER

This matter is before the Court on Plaintiffs' Motion to Dismiss James Cavanaugh, M.D., filed by Plaintiffs on September 1, 2015. (DE #308.) Afer due consideration, and noting that no objections have been filed by any of the Defendants, the Court, in its discretion, **GRANTS** Plaintiffs' motion to dismiss all claims against Defendant James Cavanaugh pursuant to Federal Rule of Civil Procedure 41(a)(2).¹ Defendant James Cavanaugh is hereby **DISMISSED** from this case.

DATED: September 8, 2015

/s/ RUDY LOZANO, Judge United States District Court

¹ Voluntary dismissal pursuant to Federal Rule of Civil Procedure 41(a)(2) is allowed at the district court's discretion, which is abused only when a defendant has shown that he will suffer "plain legal prejudice" if dismissal is granted. See Tyco Laboratories, Inc. v. Koppers, Co., 627 F.2d 54, 56 (7th Cir. 1980). Here, there has been no such showing, and the Court finds that dismissal is appropriate. See e.g. Kunz v. DeFelice, 538 F.3d 667, 677-78 (7th Cir. 2008)