Ali v. Myron Green Corporation Doc. 40

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

OMAR ALI,	)	
	)	**8:12CV117**
Plaintiff,	)	
	)	**ORDER**
v.	)	
	)	
MYRON GREEN CORPORATION, d/b/a TREAT AMERICA FOOD SERVICES,	)	
	)	
Defendant.	)	

This matter is before the court on the motion (Filing No. 23) of Vincent M. Powers and the law firm of Vincent M. Powers and Associates to withdraw as counsel for the plaintiff. Omar Ali filed an objection (Filing No. 35) to the withdrawal. The court held a hearing on the matter on March 4, 2013. After hearing Mr. Powers and Mr. Ali, *in camera*, the court announced the motion to withdraw would be granted. Thereafter, Mr. Ali stated he wanted to dismiss the case, without prejudice. Counsel for the defendant stated the defendant had no objection to dismissal, without prejudice. Accordingly,

IT IS ORDERED:

1. Vincent M. Powers' motion (Filing No. 23) to withdraw as counsel for the plaintiff is granted.

2. Mr. Ali's objection (Filing No. 35) is overruled.

3. Mr. Ali's oral motion to voluntarily dismiss this action is granted, pursuant to Fed. R. Civ. P. 41a(1)(A)(ii), and this case is dismissed without prejudice, each party to bear his or its own costs.

4. Withdrawing counsel shall serve a copy of this order on Omar Ali and file a certificate of such service with the court.

DATED this 4th day of March, 2013.

BY THE COURT:

s/ Thomas D. Thalken
United States Magistrate Judge

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