

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
DOCKET NO. 3:12-cv-00449-MOC-DCK

ECONO-LUBE N'TUNE, INC.,)
)
 Plaintiff,)
)
 Vs.) ORDER
)
 ROBERT TOLLENAAR)
 ORANGE RACING, LLC,)
)
 Defendants.)

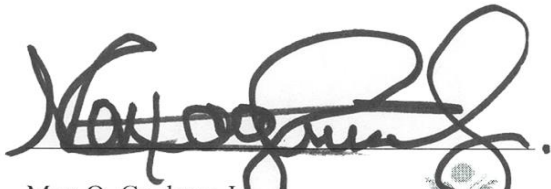
THIS MATTER is before the court on review of the Voluntary Dismissal (#14) filed by counsel. On June 1, 2015, counsel for plaintiff filed a Voluntary Dismissal; however, since defendants had earlier answered the Complaint, this matter could only be voluntarily dismissed by filing a Stipulation of Dismissal under Rule 41(a)(1)(A), Federal Rules of Civil Procedure, which requires that the stipulation of dismissal be signed “by all parties who have appeared.”

The court will, therefore, treat the Voluntary Dismissal as a Motion for Dismissal under Rule 41(a)(2) and will grant that motion as it appears that the issues in this matter have been resolved and that the defendants, having asserted no counterclaims, have no interest in the continuation of this case.

ORDER

IT IS, THEREFORE, ORDERED that the Voluntary Dismissal (#14) is deemed to be a Motion to Dismiss under Rule 41(a)(2) and is **GRANTED**, and this action is **DISMISSED**.

Signed: September 1, 2015


Max O. Cogburn Jr.
United States District Judge