

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
GREENVILLE DIVISION

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|--------------------------------------|---|--------------------------|
| Armando Rodriguez, |) | Case No.: 6:09-67-HFF |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | CONSENT ORDER OF |
| |) | DISMISSAL WITHOUT |
| Metropolitan Life Insurance Company, |) | PREJUDICE |
| |) | |
| Defendant. |) | |

THIS MATTER COMES BEFORE THE COURT upon motion of the Plaintiff to dismiss his complaint without prejudice. On July 24, 2009, the parties sent a letter to the court notifying the court that the matter was settled. However, before the settlement could be consummated, it became apparent that there was a misunderstanding and on September 22, 2009, Plaintiff moved to reinstate the case (D.E. 21). Defendant agreed to the reinstatement. Additionally, Plaintiff advises the court that he does not wish to pursue this matter in South Carolina any further, but, instead, wishes to pursue the matter in his home state of Texas. Therefore, Plaintiff asks that the court dismiss the matter *sub judice* without prejudice and the Defendant consents to this motion. Accordingly, for good cause shown, the matter *sub judice* is dismissed without prejudice pursuant to Fed.R.Civ.P. 41(a)(2).

WHEREFORE, it is ORDERED, ADJUDGED and DECREED that the matter *sub judice* is dismissed without prejudice pursuant to Fed.R.Civ.P. 41(a)(2).

AND, IT IS SO ORDERED.

s/Henry F. Floyd
The Honorable Henry F. Floyd
United States District Judge

Date: October 15, 2009

I SO MOVE:

s/ Robert E. Hoskins
Robert E. Hoskins, Esq.
Foster Law Firm, L.L.P.
Attorneys for Plaintiff

I CONSENT:

s/ Chris Gantt-Sorenson
Chris Gantt-Sorenson, Esq.
Haynsworth Sinkler Boyd
Attorneys for Defendant