

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

JUNE E. ROUNDS-RHEAUME,

Plaintiff,

v.

JOHN C. DOWLING, BRIAN D. VAUGHAN,
SANDRA K. PRISBE, CYNDA DEMONTIGNY, BARB
WOEHL, and BOARD OF REGENTS OF
UNIVERSITY OF WISCONSIN SYSTEM,

Defendants.

ORDER

16-cv-146-jdp

Pro se plaintiff June E. Rounds-Rheaume is proceeding on Title VII retaliation claims and First Amendment retaliation claims. Rounds-Rheaume contends that after she quit her job, defendants prevented her from finding other employment by refusing to give prospective employers an accurate description of her position. Defendants have filed their answers. Dkt. 12 (Answer by Cynda Demontigny, John C. Dowling, Brian D. Vaghan, and Barb Woehrl) and Dkt. 22 (Answer by Sandra Prisbe and the Board of Regents of the University of Wisconsin System).

Rounds-Rheaume has filed a document stating that she would like to “cancel” defendants Brian D. Vaughan and Cynda Demontigny and that she is “no longer listing Mr. Vaughan and Ms. Demontigny as defendants” in this case. Dkt. 31. I will construe the document as a motion for voluntary dismissal under Federal Rule of Civil Procedure 41(a)(2), as defendants have already answered Rounds-Rheaume’s complaint.

Rule 41(a)(2) provides that the action may be dismissed by the plaintiff “only by court order, on terms that the court considers proper.” Because Vaughan and Demontigny have been required to defend this action, I will grant Rounds-Rheaume’s motion for

voluntary dismissal only on the condition that the dismissal is “with prejudice,” which means that Rounds-Rheaume will be barred from bringing her current claims against Vaughan and Demontigny in the future. If Rounds-Rheaume objects to dismissal with prejudice, she may withdraw her motion, but she must withdraw within one week. If she does not withdraw her motion within one week, I will dismiss her claims against the two defendants with prejudice.

ORDER

IT IS ORDERED that:

1. Plaintiff Rounds-Rheaume will have until November 30, 2016 to withdraw her motion to dismiss her claims against defendants Brian D. Vaughan and Cynda Demontigny, Dkt. 31.
2. If plaintiff does not withdraw her motion, Dkt. 31, by November 30, 2016 the court will dismiss plaintiff’s claims against defendants Brian D. Vaughan and Cynda Demontigny with prejudice.

Entered November 23, 2016.

BY THE COURT:

/s/

JAMES D. PETERSON
District Judge