UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-62168-CIV-DIMITROULEAS

DRYMISTAT, INC., a Florida corporation, and STANLEY OSTER, an individual,

Plaintiffs,

vs.

DOS CABALLOS CIGARS, LLC, a Florida corporation, BEE GLAMOROUS, LLC, a Florida corporation, CARLOS A. ALVAREZ, JR., an individual, and BRYAN TORRES an individual,

Defendants.
_____/

ORDER APPROVING NOTICE OF VOLUNTARY DISMISSAL WITH PREJUDICE

THIS CAUSE is before the Court upon the Plaintiff's Notice of Voluntary Dismissal With Prejudice [DE 9], filed herein on December 21, 2011. The Court has carefully considered the Notice and is otherwise fully advised in the premises.

Under Federal Rule of Civil Procedure 41(a)(1)(A)(i), a plaintiff may dismiss an action without a court order "before the opposing party serves either an answer or a motion for summary judgment," as is the case here.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Notice of Voluntary Dismissal Without Prejudice [DE 12] is **APPROVED;**

2. This cause is hereby **DISMISSED without prejudice**;

3. The Clerk shall **CLOSE** this case and **DENY** all pending motions as moot.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida this 21st day of December, 2011.

WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
Counsel of record