

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

MALIBU MEDIA, LLC,

Plaintiff,

vs.

Case No. 3:12-cv-335-J-32MCR

JOHN DOES 1-19,

Defendants.

ORDER

This case is before the Court on Plaintiff's Notice of Settlement and Voluntary Dismissal With Prejudice of John Doe 17 Only (Doc. 40), filed October 30, 2012. In the Notice, Plaintiff seeks dismissal, with prejudice, of the claims raised against Defendant John Doe 17. Upon review of the docket, the Court notes that this Defendant has neither served an answer nor a motion for summary judgment. Accordingly, pursuant to Rule 41(a)(1)(A)(i), Federal Rules of Civil Procedure, the claims raised against Defendant John Doe 17 are dismissed with prejudice.

Defendant John Doe 17's Motion to Sever (Doc. 14) is now moot and the Clerk shall terminate the motion. The file shall remain open.

DONE AND ORDERED in Chambers in Jacksonville, Florida, on this 5th day of November, 2012.


TIMOTHY J. CORRIGAN
United States District Judge

sa.

Copies:

counsel of record