

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 12-22768-CIV-SEITZ/SIMONTON

MALIBU MEDIA, LLC,

Plaintiff,

vs.

LEO PELIZZO,

Defendant.

ORDER STRIKING NOTICE OF VOLUNTARY DISMISSAL

THIS MATTER comes before the Court on the Plaintiff's Notice of Voluntary Dismissal With Prejudice of Leo Pelizzo [DE-33]. Pursuant to Federal Rule of Civil Procedure 41(a), a plaintiff may only dismiss a defendant before the defendant has filed an answer or by stipulation signed by all parties. Defendant Pelizzo has filed an Answer in this matter. Therefore, in order to dismiss Pelizzo, Plaintiff must either move the Court or file a stipulation of dismissal signed by Pelizzo. Accordingly, it is

ORDERED THAT the Plaintiff's Notice of Voluntary Dismissal With Prejudice of Leo Pelizzo [DE-33] is STRICKEN.

DONE and ORDERED in Miami, Florida this 5 day of April, 2013.


PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record