

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

KATHLEEN RIZZO,

Plaintiff,

v.

Case No: 2:20-cv-390-SPC-MRM

GLADES GOLF & COUNTRY
CLUB, INC., MAYOR
CONSTRUCTION OF NAPLES,
CORP. and COASTAL
PAINTING OF SOUTH
FLORIDA, LLC,

Defendants.

ORDER¹

Before the Court is Defendant Glades Golf & Country Club's Motion for Voluntary Dismissal of Crossclaim. ([Doc. 60](#)). Glades Golf moves unopposed to dismiss its crossclaim against Mayor Construction of Naples, Corp. under [Federal Rule of Civil Procedure 41\(a\)\(2\)](#). The crossclaims against the other parties remain in effect.

Under Rule 41(a)(2), the court may dismiss an action under terms it considers to be proper. *See also* [Fed. R. Civ. P. 41\(c\)](#) (stating Rule 41 applies

¹ Disclaimer: Documents hyperlinked to CM/ECF are subject to PACER fees. By using hyperlinks, the Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide, nor does it have any agreements with them. The Court is also not responsible for a hyperlink's availability and functionality, and a failed hyperlink does not affect this Order.


to crossclaims with equal force). Because Glades Golf's motion is unopposed, the Court finds it proper to dismiss the applicable crossclaim.

Accordingly, it is now

ORDERED:

Glades Golf & Country Club's Motion for Voluntary Dismissal of the Crossclaim against Mayor Construction of Naples, Corp. (Doc. 60) is **GRANTED**. Glades Golf's crossclaim against Mayor is dismissed without prejudice, with each party bearing its own fees and costs.

DONE and **ORDERED** in Fort Myers, Florida on May 26, 2021.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record