

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JTH TAX LLC,

Plaintiff,

v.

Case No.: 2:22-cv-457-SPC-KCD

MARY AILEEN ARDOLINO,
PETER J. ARDOLINO and
PREFERRED SERVICES 4U, LLC,

Defendants.

_____ /

ORDER¹

Before the Court is the parties' Joint Motion for Entry of Stipulated Injunction and Dismissal. ([Doc. 56](#)). The parties have reached a settlement in this matter. They propose the Court enter a stipulated injunction and an order dismissing the case under Fed. R. Civ. P. 41(a)(1)(A)(ii). ([Doc. 56](#)). But the parties condition the dismissal upon the Court reserving jurisdiction to enforce the terms of the parties' separate Confidential Settlement Agreement. ([Doc. 56-1 at 11](#)).

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The Court declines to retain jurisdiction over this case to enforce the parties' Confidential Settlement Agreement. This does not leave the parties without recourse—they may independently enforce their agreement in a separate state court action. But since the parties conditioned their dismissal on the retention of jurisdiction, the Court wishes to hear from the parties before entering the requested injunction and order.

Accordingly, it is now

ORDERED:

The parties must tell the Court jointly in writing on or before January 20, 2023, how they would like to proceed given that the Court will not retain jurisdiction to enforce their Confidential Settlement Agreement.

DONE and **ORDERED** in Fort Myers, Florida this January 13, 2023.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record