

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MARVIN LANE and SHANITA
LANE,

Plaintiffs,

v.

Case No.: 2:22-cv-565-SPC-NPM

SECURITY NATIONAL
MORTGAGE COMPANY,
TAMARA PERRIN and LISA
CASANOVA,

Defendants.

ORDER

Before the Court is the parties' Joint Stipulation of Dismissal with Prejudice. ([Doc. 45](#)). This is the parties' second attempt to file a Joint Stipulation of Dismissal. ([Doc. 43](#)).

At this case's inception, there were three named Defendants—Security National Mortgage Company, Tamara Perrin, and Lisa Casanova. Counsel appeared for all three defendants. ([Doc. 18](#)). Then Perrin and Casanova were omitted from Plaintiffs Marvin and Shanita Lane's Second Amended Complaint. ([Doc. 38](#)). The Court asked for clarification regarding this omission, and Plaintiffs filed a Notice stating that "Tamara Perrin and Lisa

Casanova do not remain named parties in light of Plaintiffs’ Second Amended Complaint.” ([Doc. 42](#)).

And then there was one—Security National Mortgage Company. On October 23, 2023, the parties filed a Joint Stipulation of Dismissal under [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(ii\)](#). ([Doc. 43](#)). The Court denied the parties’ Joint Stipulation of Dismissal because the paper was not signed by all parties who have appeared. (Doc. 44). In that Order, the Court cited [*City of Jacksonville v. Jacksonville Hosp. Holdings, L.P.*, 82 F.4th 1031 \(11th Cir. 2023\)](#). In *City of Jacksonville*, the Eleventh Circuit held that “a Rule 41(a)(1)(A)(ii) stipulation also requires the signature of a party that appeared but has already been removed from an action.” (internal citation omitted). In other words, a proper Stipulation of Dismissal in this case needs to be signed on behalf of Plaintiffs, Defendant National Security Mortgage Company, (former) Defendant Tamara Perrin, and (former) Defendant Lisa Casanova.

On November 1, 2023, the parties tried for a second time to file a Joint Stipulation of Dismissal. ([Doc. 45](#)). This Stipulation is even more deficient than the first. It still cites to a single defendant (Security National Mortgage Company), and it is not even signed by counsel for that defendant.


The Court invites the parties to review *City of Jacksonville* before filing again—and to remember that there are three defendants who have appeared in this action.

Accordingly, it is now

ORDERED:

The parties' Joint Stipulation of Dismissal with Prejudice ([Doc. 45](#)) is
DENIED.

DONE and **ORDERED** in Fort Myers, Florida on November 2, 2023.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record