

FILED

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

2005 MAR 14 PM 3:49

ROGER G. CANUPP, JACOB MYERS, LAWRENCE  
MCGEE, HUBERT DAVIDSON, TYWAUN JACKSON,  
CHARLES DURDEN, DANIEL FABIAN, BRUCE  
KRAMER,

CLERK, U.S. DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FT. MYERS, FLORIDA

Plaintiffs,

vs.

Case No. 2:04-cv-260-FtM-33DNF

LIBERTY BEHAVIORAL HEALTHCARE CORP., LUCY  
HADY, Secretary of the Department of  
Children and Families,

Defendants.

ORDER

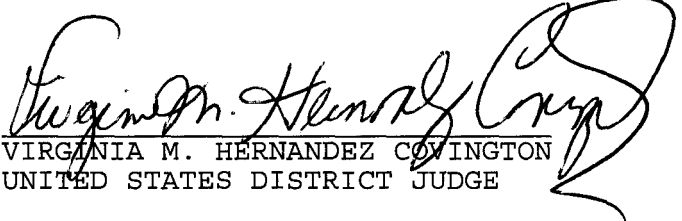
This matter comes before the Court upon Plaintiffs' Motion for Voluntary Dismissal of Daniel Fabian, Bruce Kramer and Count 4 (Doc. #55) filed February 4, 2005. Pursuant to Rule 41(a)(2) of the Federal Rules of Civil Procedure, Plaintiff seeks to voluntarily dismiss Plaintiffs Fabian and Kramer and Count 4 of Plaintiffs' Complaint. Plaintiff represents to the Court that "[a]ll Parties have agreed to the dismissal of Plaintiffs Fabian and Kramer and Count 4 of the class action Complaint."

ACCORDINGLY, it is hereby **ORDERED, ADJUDGED** and **DECREED**:

1. Plaintiffs' Motion for Voluntary Dismissal of Daniel Fabian, Bruce Kramer and Count 4 (Doc. #55) is **GRANTED**.

2. The Clerk of Court shall correct the caption of this action to reflect the dismissal of Plaintiffs Fabian and Kramer.

**DONE AND ORDERED** in Chambers in Fort Myers, Florida, on this 14<sup>th</sup> day of March, 2005.

  
VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE