

IN THE UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

MICHELE HADDAD,

Plaintiff,

vs.

Case No. 3:10-cv-414-J-34TEM

ELIZABETH DUDEK, in her official
capacity as Secretary, Florida Agency
for Health Care Administration; and

DR. ANA VIAMONTE ROS, in her
official capacity as Surgeon General,
Florida Department of Health

Defendant(s).

JOINT STIPULATION OF DISMISSAL WITH PREJUDICE

Plaintiff Michele Haddad and Defendants Elizabeth Dudek, in her official capacity as the Secretary of Florida Agency for Health Care Administration, and Dr. Ana Viamonte Ros, in her official capacity as Surgeon General, Florida Department of Health, hereby file their Joint Stipulation of Dismissal pursuant to Rule 41(a)(1)(A)(ii), Fed.R.Civ.P., and state:

1. It is hereby stipulated that the parties jointly stipulate to dismissal with prejudice of this ADA and Section 504 of the Rehabilitation Act claims.

2. The parties request that the Court reserve jurisdiction regarding Plaintiff's reasonable attorneys' fees and costs. If the parties are unable to resolve amicably the matter of attorneys' fees and costs by agreement within sixty (60) days from the date of dismissal, Plaintiff shall notify the Court and file a motion in accordance with the Federal and Local Rules of Court within fourteen (14) days of the parties' failure to resolve the matter of attorneys' fees and costs.

CERTIFICATION

All parties certify that they are in agreement with the relief stated above.

/s/ Stephen F. Gold
STEPHEN F. GOLD
Pennsylvania Bar No.: 09880
1709 Benjamin Franklin Parkway
Second Floor
Philadelphia, PA 19103
Telephone: (215) 627-7100, ext 227
Facsimile: (215) 627-3183
Email: stevegoldada@cs.com

/s/ Enoch Jonathan Whitney
ENOCH JONATHAN WHITNEY
Florida Bar No.: 130637
Office of the Attorney General
PL-01 The Capitol
Tallahassee, Florida 32399
Telephone: (850) 414-3662
Facsimile: (850) 488-4872
Email: Jon.Whitney@myfloridalegal.com

Counsel for Defendant Department of Health

/s/ Jay M. Howanitz
JAY M. HOWANITZ
Florida Bar No.: 0020967
Spohrer & Dodd, P.L.
701 West Adams Street, Suite 2
Jacksonville, Florida 32204
Telephone: (904) 309-6500
Facsimile: (904) 309-6501
Email: jhowanitz@sdlitigation.com

/s/ Andrew T. Sheeran
ANDREW T. SHEERAN
Florida Bar No.: 0030599
Agency for Health Care Administration
2727 Mahan Drive, Building MS#3
Tallahassee, Florida 32308
Telephone: (850) 922-0158
Facsimile: (850) 921-0158
Email: sheerana@ahca.myflorida.com

Counsel for Plaintiff

*Counsel for Defendant Agency for
Health Care Administration*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing has been served by CM/ECF to the following: **Andrew T. Sheeran**, Agency for Health Care Administration, Office of the General Counsel, 2727 Mahan Drive, Building 3, MS #3, Tallahassee, Florida 32308; **Enoch Jonathan Whitney**, Florida Department of Health, Office of the Attorney General, PL-01 The Capitol, Tallahassee, Florida 32399; **Anne S. Raish**, Disability Rights Section, Civil Rights Division, U.S. Department of Justice, 950 Pennsylvania Avenue, N.W. – NYA, Washington, D.C. 20530 this 15th day of April, 2011.

s/ Jay M. Howanitz
Jay M. Howanitz, Esq.
Florida Bar No. 0020967
SPOHRER & DODD, P.L.
701 West Adams Street, Suite 2
Jacksonville, Florida 32204
Telephone: (904) 309-6500
Facsimile: (904) 309-6501
Email: jhowanitz@sdlitigation.com