UNITED STATES DISTRICT COURT

DISTRICT OF MAINE

)

)

Plaintiff(s), )

)

v. ) Civil No.

)

)

)

Defendant(s). )

NOTICE OF VOLUNTARY DISMISSAL

A plaintiff’s ability to voluntarily dismiss a civil case is subject to different rules depending on whether the opposing party has filed an answer to the complaint or a motion for summary judgment.

* Complete Section I below if **no** answer or motion for summary judgment has been filed by the defendant(s) you are dismissing.
* Complete Section II below if an answer or motion for summary judgment **has** been filed by the defendant(s) you are dismissing.

I

Pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), Plaintiff hereby dismisses *without prejudice*:

* this entire case.
* only Defendant [name]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

As of this date, the opposing party has not filed an answer or a motion for summary judgment.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Sign name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

II

Pursuant to Federal Rule of Civil Procedure 41(a)(2) Plaintiff hereby requests dismissal *without prejudice* of:

* this entire case.
* only Defendant [name]\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_.

As of this date, the opposing party has filed an answer or a motion for summary judgment. Therefore, this Notice will be treated by the Court as a Motion to Dismiss with response and reply time permitted in accordance with Local Rule 7.

Date: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_ Plaintiff’s signature: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_

Print name: \_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_\_