

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 17-60907-CIV-Moreno

FEDERAL TRADE COMMISSION, and

STATE OF FLORIDA,

Plaintiffs,

v.

JEREMY LEE MARCUS, *et al.*,

Defendants and Relief Defendants.

**PLAINTIFFS' MOTION FOR ENTRY OF STIPULATED ORDER OF VOLUNTARY
DISMISSAL WITHOUT PREJUDICE OF RELIEF DEFENDANT JACK MARCUS**

Pursuant to Rules 41(a)(2) and 66 of the Federal Rules of Civil Procedure, Plaintiffs, the Federal Trade Commission and Office of the Attorney General, State of Florida, Department of Legal Affairs (collectively, "Plaintiffs"), submit this motion for entry of the attached Stipulated Order for Voluntary Dismissal Without Prejudice of Relief Defendant Jack Marcus (the "Stipulated Order"), and as grounds state as follows:

1. Based in part upon a turnover motion and proposed order filed by the Receiver (D.E. 215) and subsequently entered by the Court (D.E. 223), Plaintiffs seek an order of voluntary dismissal without prejudice as to relief defendant Jack Marcus.
2. Relief defendant Jack Marcus has stipulated and agreed to the attached Stipulated Order.
3. In addition, Plaintiffs' counsel has conferred with counsel for the Receiver in this matter, and the Receiver does not object to this Motion.

For the foregoing reasons, Plaintiffs respectfully request that this Court enter the attached Stipulated Order.

Respectfully submitted this 1st day of May, 2018.

Respectfully submitted,

ALDEN F. ABBOTT
Acting General Counsel

/s/ Angeleque P. Linville

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STATE OF FLORIDA

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 1st day of May, 2018, I electronically filed the foregoing document with the Clerk of the Court by using the CM/ECF system. I also certify that the foregoing document is being served this date on all counsel of record or *pro se* parties on the attached Service List via transmission of Notices of Electronic Filing generated by the CM/ECF system, or for those counsel or parties who are not authorized to receive CM/ECF Notices of Electronic Filing, is being served in the manner specified.

/s/ Angeleque P. Linville
Angeleque P. Linville

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

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FEDERAL TRADE COMMISSION, and
STATE OF FLORIDA,

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JEREMY LEE MARCUS, *et al.*,

Defendants and Relief Defendants.

**STIPULATED ORDER OF VOLUNTARY DISMISSAL WITHOUT PREJUDICE OF
RELIEF DEFENDANT JACK MARCUS**

Plaintiffs, the Federal Trade Commission and the Office of the Attorney General, State of Florida, Department of Legal Affairs (collectively, "Plaintiffs"), and relief defendant Jack Marcus agree to the entry of this Stipulated Order of Voluntary Dismissal Without Prejudice of Relief Defendant Jack Marcus (the "Order").

NOW THEREFORE, Plaintiffs and relief defendant Jack Marcus, having requested the Court to enter this Order, and the Court having considered the same,

IT IS HEREBY ORDERED, ADJUDGED, AND DECREED as follows:

1. Relief defendant Jack Marcus is hereby voluntarily dismissed without prejudice as a relief defendant in this action;

2. Relief defendant Jack Marcus waives any claim that he may have against Plaintiffs, their employees, representatives, or agents, and all claims under the Equal Access to Justice Act, 28 U.S.C. § 2412, *as amended by* Pub. L. 104-121, 110 Stat. 847, 863-64 (1996);
and

3. Relief defendant Jack Marcus shall bear his own costs incurred in this action.

Plaintiffs and relief defendant Jack Marcus hereby stipulate and agree to entry of the foregoing Order.

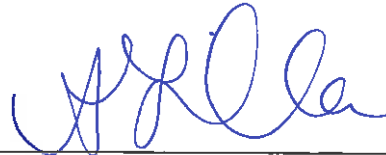
DONE AND ORDERED in Chambers at Miami, Florida, this _____ day of _____, 2018.

THE HONORABLE FEDERICO A. MORENO
United States District Court Judge
Southern District of Florida

SO STIPULATED AND AGREED:

FOR PLAINTIFFS:

Dated: 5/1/18



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FOR RELIEF DEFENDANT JACK MARCUS:

Dated: _____

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**ATTORNEYS FOR PLAINTIFF
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FOR RELIEF DEFENDANT JACK MARCUS:

Dated: 4-25-2018

Jack E Marcus

**RELIEF DEFENDANT JACK MARCUS,
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