

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ILLINOIS**

JAMIE ENGLER,

Plaintiff,

v.

**DONALD W. BROWN, INC., d/b/a
COLDWELL BANKER BROWN RELATORS,**

Defendant.

No. 11-cv-997-DRH

ORDER

HERNDON, Chief Judge:

Before the Court is a motion to enforce settlement agreement (Doc. 21) filed by defendant, an agreed to motion for substitution of plaintiff (Doc. 22) filed jointly by the parties, and a joint stipulation for dismissal (Doc. 23) signed by all parties who have appeared. The stipulation dismisses the case with prejudice, each party to bear its own costs. In the agreed to motion for substitution of plaintiff, the parties notify the Court that on March 18, 2012, plaintiff Jamie Engler passed “from this life as a result of her cancer related illness as related in her [c]omplaint,” and that her only heirs are her natural and legal parents, Steven and Terry Engler. Accordingly, Steven and Terry Engler requests, and defendant consents, to the Court substituting Steven and Terry Engler as plaintiffs for Jamie Engler in this case.

Pursuant to Federal Rule of Civil Procedure 25, the motion for substitution of plaintiff is granted and Steven and Terry Engler are substituted as plaintiffs for

Jamie Engler in this case. Further, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(ii), the Court acknowledges the dismissal. This moots defendant's motion to enforce settlement agreement (Doc. 21). Thus, that motion is denied. The case is dismissed with prejudice, each party to bear its costs. The Court will close the file.

IT IS SO ORDERED.

Signed this 23rd day of August, 2012.

 Digitally signed by
David R. Herndon
Date: 2012.08.23
09:53:40 -05'00'

**Chief Judge
United States District Court**