

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA

MICHAEL SMART, individually and on behalf of all  
others similarly situated,

CLASS ACTION

Case No. 5:21-cv-0153-JSM-PRL.

*Plaintiff,*

vs.

THE HOME DEPOT, INC.,

*Defendant.*

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**NOTICE OF DISMISSAL WITHOUT PREJUDICE**

Plaintiff, Michael Smart, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i), does hereby dismiss this action as follows:

1. All claims of the Plaintiff, Michael Smart, individually, are hereby dismissed without prejudice.
2. All claims of any unnamed member of the alleged class are hereby dismissed without prejudice.

Date: June 09, 2021

Respectfully Submitted,

**Shamis & Gentile, P.A.**

/s/ Andrew J. Shamis

Andrew J. Shamis, Esq.

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*Counsel for Plaintiff and the Class*

**CERTIFICATE OF SERVICE**

I hereby certify that on June 09, 2021, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel identified below via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner.

Respectfully submitted,

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By: /s/ Andrew J. Shamis  
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*Counsel for Plaintiff and the Class*