

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

BRIAN BRANDWEIN

Case No.: 8:23-01251-TPB-MRM

Plaintiff,

v.

THE BOARD OF TRUSTEES of the
UNIVERSITY OF SOUTH FLORIDA d/b/a
UNIVERSITY OF SOUTH FLORIDA,

Defendant.

NOTICE OF VOLUNTARY DISMISSAL

COMES NOW, the Plaintiff, Brian Brandwein, Pro Se in this matter, and hereby files this Notice of Voluntary Dismissal and states pertinent grounds as follows:

1. The Court has dismissed all counts of Mr. Brandwein's case that will allow him any measure of recovery.
2. Mr. Brandwein is not an attorney and therefore cannot recover attorney's fees or costs.
3. Mr. Brandwein is aware of the high cost of discovery and will not be able to afford to adequately bring this matter.
4. Mr. Brandwein is disappointed that a lack of financial means is the reason that such an important issue cannot be litigated.
5. Mr. Brandwein has utilized nearly all of the financial resources at his disposal for this litigation and the parties have not even entered discovery yet.

6. Mr. Brandwein does not want to waste the valuable time of the court or opposing counsel and can save all parties a substantial amount of time and money by ceasing litigation here.
7. Fed. R. Civ. Pro. 42(a)(1) an action may be dismissed by court order at the Plaintiff's request "on terms that the court considers proper." Fed. R. Civ. P. 41(a)(2).
8. Mr. Brandwein understands that the court may not consider these circumstances as proper, but nevertheless Mr. Brandwein believes that the conservation of financial and judicial resources are best served by a dismissal at this time.

WHEREFORE, the Plaintiff, Brian Brandwein, hereby requests this honorable court dismiss the claims at issue and direct the clerk of court to close the matter in accordance with proper procedure.

DATED: February 7, 2024

Respectfully submitted,

SIGNED: /s/ Brian L. Brandwein

Brian Brandwein

Pro Se Litigant

409 SE 16th Court

Fort Lauderdale, Florida 33316

Email: brianbrandwein@gmail.com

Phone: (954) 830-2413

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing has been furnished to all defendants via the FLMD Web Filing Portal, as well as Electronic Mail to Attorney Richard McCrea, counsel for the Defendants at:

Richard C. McCrea Jr.
mccrear@gtlaw.com
GREENBERG TRAUIG, P.A.
101 E. Kennedy Boulevard, Suite 1900
Tampa, Florida 33602

DATED: February 7, 2024

Respectfully submitted,

SIGNED: /s/ Brian L. Brandwein

Brian Brandwein

Pro Se Litigant

409 SE 16th Court

Fort Lauderdale, Florida 33316

Phone: (954) 830-2413

Email: brianbrandwein@gmail.com