

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF FLORIDA  
TALLAHASSEE DIVISION**

**JAYNE POTTS, as personal  
representative of the estates of  
WILLIAM E. POTTS, MARY POTTS,  
and ANNA POTTS,**

**Plaintiff,**

**vs.**

**4:04-CV-074-SPM**

**BUDGET RENT A CAR SYSTEMS,  
INC.; BUDGET RENT A CAR  
SYSTEM, INC.; and BRAC GROUP, INC.,**

**Defendants.**

**/**

**BUDGET RENT A CAR CORPORATION  
and BRAC GROUP, INC.,**

**Third-Party Plaintiffs,**

**vs.**

**EMPIRE FIRE AND MARINE INSURANCE,  
a Nebraska corporation,**

**Third-Party Defendants,**

**/**

**ORDER DISMISSING BUDGET RENT A CAR SYSTEMS, INC.**

**THIS CAUSE** comes before the Court upon "Plaintiff Jayne Potts" and  
Defendant Budget Systems' Joint Motion for Order Dropping Budget Systems as

a Party" (doc. 287) filed July 29, 2005. The parties agree that Budget Rent a Car Systems, Inc. was not the franchisor or licensor of the Budget rental car business from which Plaintiff rented the van that is the subject of this lawsuit.

Pursuant to Federal Rule of Civil Procedure 21, the Court finds it appropriate to remove Budget Rent a Car Systems, Inc. as a party to this action. Accordingly, it is

**ORDERED AND ADJUDGED** as follows:

1. The motion to remove a party (doc. 287) is hereby *granted*.
2. Budget Rent a Car Systems, Inc. is dismissed without prejudice as a party to this case.
3. Budget's motion for summary judgment (doc. 290) is hereby *denied as moot*.
4. The caption of all future pleadings and motions shall omit Budget Rent a Car Systems, Inc. as a party.

**DONE AND ORDERED** this second day of August, 2005.

s/ Stephan P. Mickle  
Stephan P. Mickle  
United States District Judge

/pao