

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA

COVES OF THE HIGHLAND
COMMUNITY DEVELOPMENT
DISTRICT

CIVIL ACTION

VERSUS

NO. 09-7251, c/w 10-1437

MCGLINCHEY STAFFORD PLLC,
ET AL.

SECTION "N" (4)

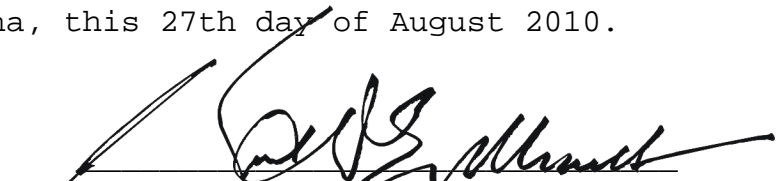
ORDER AND REASONS

Before the Court is McGlinchey Stafford PLLC's Motion to Strike and Motion for Sanctions Pursuant to 28 U.S.C. § 1927 (Rec. Doc. 47), which is opposed by Plaintiff Coves of Highland Community Development district. (See Rec. Doc. 52). After considering the memoranda filed by the parties and the applicable law,

IT IS ORDERED that the **McGlinchey Stafford PLLC's Motion to Strike and Motion for Sanctions Pursuant to 28 U.S.C. § 1927 (Rec. Doc. 47)** is **GRANTED IN PART AND DENIED IN PART**. The motion is granted to the extent that Plaintiff's motion for a preliminary default (Rec. Doc. 41) is stricken from the record. Indeed, Plaintiff moved for a preliminary default two days after McGlinchey filed responsive pleadings and only a few hours after

the Clerk's office noted a technical deficiency with McGlinchey's motion to dismiss Plaintiff's Amended Complaint. While the Court denies the motion for sanctions at this time, all counsel are nonetheless cautioned that communication and cooperation amongst counsel, along with checking the record, will greatly assist the Court (and the parties) in handling this matter.

New Orleans, Louisiana, this 27th day of August 2010.



KURT D. ENGELHARDT
United States District Judge