

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LANCE TEBLUM, BERNADETTE TEBLUM,
JOYCE BRINDLE, f/k/a Joyce
Cunliffe, NANCY CIVITARESE, et.
al.,

Plaintiffs,

vs.

Case No. 2:03-cv-495-FtM-33DNF

ECKERD CORPORATION OF FLORIDA,
INC., and ECKERD CORPORATION,

Defendants.

ORDER

This matter comes before the Court sua sponte. In an Order dated February 7, 2006, this Court denied Defendant's summary judgment motions in both the Teblum and Rodrique cases. (Doc. # 735). Inadvertently, in its direction to the Clerk on page 45 of the Order (instruction # 5), the Court directed the Clerk to close the Rodrique case. (Doc. # 735 at 45). The Court's direction to the Clerk to close the Rodrique case was entered due to a clerical mistake. Rule 60(a), Fed.R.Civ.P., states in pertinent part, "Clerical mistakes in judgments, orders, or other parts of the record and errors therein arising from oversight or omission may be corrected by the court at any time of its own initiative or on the motion of any party"

The Court now corrects the order dated February 7, 2006 (Doc. # 735) and deletes the language in instruction # 5 stating, "and to

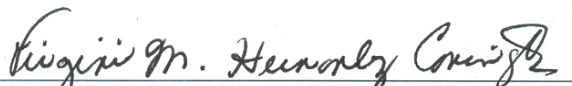
Close the Rodrique case."

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

1. The February 7, 2006 (Doc. # 735) Order is amended to delete the language on page 45 in instruction # 5 stating, "and to Close the Rodrique case."
2. The Clerk is directed to re-open the case of Rodrique v. Eckerd Corporation, case 2-03-cv-519-FtM-33SPC.
3. The Clerk is directed to file this Order in the case of Rodrique v. Eckerd Corporation, case 2-03-cv-519-FtM-33SPC.

DONE and **ORDERED** in Chambers in Ft. Myers, Florida, this 9th day of February, 2006.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies:

All Counsel of Record