

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,

-vs-

Case No. 2:09-cv-229-FtM-29DNF

FOUNDING PARTNERS CAPITAL
MANAGEMENT CO., WILLIAM L. GUNLICKS
and PAMELA L. GUNLICKS,

Defendants,

FOUNDING PARTNERS STABLE-VALUE
FUND, LP, FOUNDING PARTNERS STABLE-
VALUE FUND II, LP, FOUNDING PARTNERS
GLOBAL FUND, LTD., and FOUNDING
PARTNERS HYBRID-VALUE FUND, LP,

Relief Defendants.

ORDER

This matter comes before the Court on the Defendant's Sun Capitol Healthcare and Sun Capitol's Emergency Motion to Compel (Doc. #192) filed on January 12, 2010. On January 17, 2010, the Defendants withdrew the Motion because it was filed in the instant case by mistake rather than in the companion case Newman v Sun Capitol, 09-cv-445-JES-SPC. Thus, the Motion is now moot.

Accordingly, it is now

ORDERED:

The Defendant's Sun Capitol Healthcare and Sun Capitol's Emergency Motion to Compel (Doc. #192) is **DENIED as moot**.

DONE AND ORDERED at Fort Myers, Florida, this 8th day of February, 2010.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record