

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

STEPHANIE S. MILLER and SELECT
REAL ESTATE BY STEPHANIE
MILLER, INC.,

Plaintiffs,

v.

Case No: 2:14-cv-347-FtM-38DNF

JOHN M. SUMMERS, SUMMERS
GULF MANAGEMENT, LLC, and
CORKSCREW MANAGEMENT,
LLC,

Defendants.

ORDER¹

This matter comes before the Court on Plaintiffs Stephanie S. Miller and Select Real Estate By Stephanie Miller, Inc.'s Unopposed Motion to Stay Proceedings Pending Ruling on Disqualification ([Doc. #11](#)) filed on September 5, 2014. Plaintiffs move to stay all proceedings in this action that are unrelated to their Motion to Disqualify Michael R. Whitt and the Firm of Robins, Kaplan as Counsel for Defendants ([Doc. #10](#)).

On June 23, 2014, Plaintiffs commenced this action against Defendants John M. Summers, Summers Gulf Management, LLC, and Corkscrew Management, LLC, alleging

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fraudulent misrepresentation, fraudulent concealment, tortious interference with business relationship, breach of contract, breach of the duty of good faith and fair dealing, and violation of the Florida Deceptive and Unfair Trade Practices Act. ([Doc. #1](#)). In response, Defendants filed a Motion to Dismiss or Strike ([Doc. #9](#)) on August 22, 2014. On September 5, 2014, Plaintiffs filed a Motion to Disqualify Michael R. Whitt and the Firm of Robins, Kaplan as Counsel for Defendants ([Doc. #10](#)). Plaintiffs maintain neither Mr. Whitt nor the law firm of Robins, Kaplan may represent Defendants in this matter because they were clients of Mr. Whitt and his former law firm of Becker & Poliakoff, P.A. until recently. The parties conferred, to no avail, about said disqualification on August 15, 2014.

In the interests of judicial economy and the resolution of the pending disqualification of defense counsel issue, the Court finds good cause to grant Plaintiffs' unopposed motion to stay this case.

Accordingly, it is now **ORDERED**:

- (1) Plaintiffs' Unopposed Motion to Stay Proceedings Pending Ruling on Disqualification ([Doc. #11](#)) is **GRANTED**. The case is stayed up to the resolution of Plaintiffs' Motion to Disqualify Michael R. Whitt and the Firm of Robins, Kaplan as Counsel for Defendants ([Doc. #10](#)).
- (2) The Clerk of Court is **DIRECTED** to place a stay flag on the file.

DONE and **ORDERED** in Fort Myers, Florida this 8th day of September, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record