

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 is before the Court on Defendants John M. Summers, Summers Gulf Management, LLC, and Corkscrew Management, LLC's Motion to Dismiss, Or, In the Alternative, Strike ([Doc. #9](#)) filed on August 22, 2014. On September 5, 2014, Plaintiffs Stephanie S. Miller and Select Real Estate By Stephanie Miller, Inc. simultaneously moved to (1) disqualify Michael R. Whitt and the Firm of Robins, Kaplan, Miller & Ciresi L.L.P. as attorneys for Defendants ([Doc. #10](#)); and (2) stay this action pending the Court's ruling on disqualification ([Doc. #11](#)). Having found good cause, the Court stayed all

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proceedings in this action that were unrelated to Plaintiffs' motion to disqualify. ([Doc. #12](#)). Since then, the parties have engaged in limited discovery regarding disqualification, and Plaintiffs have until March 19, 2015, to amend their motion to disqualify. (Doc. #26).


As such, the Court will deny Defendants' Motion to Dismiss without prejudice pending final resolution of Plaintiffs' motion to disqualify.

Accordingly, it is now

ORDERED:

Defendants John M. Summers, Summers Gulf Management, LLC, and Corkscrew Management, LLC's Motion to Dismiss, Or, In the Alternative, Strike ([Doc. #9](#)) is **DENIED without prejudice**. Defendants may file a renewed motion to dismiss within **fourteen (14) days** of the Court's final resolution of Plaintiffs' motion to disqualify Michael R. Whitt and the Firm of Robins, Kaplan, Miller & Ciresi L.L.P. as attorneys for Defendants.

DONE and **ORDERED** in Fort Myers, Florida this 26th day of January, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record