

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

IN ADMIRALTY

IN RE: EVERGLADES AIRBOAT
MANAGEMENT LLC AND EVERGLADES
AIRBOAT RESORTS, LLC, D/B/A CAPTAIN
JACK'S AIRBOAT TOURS (F/K/A CAPTAIN
DOUG'S AIRBOAT TOURS), AS OWNERS,
CHARTERERS, OPERATING MANAGERS OF
THE 2013 18' ALUMITECH AIRBOAT AND
2009 18' ALUMITECH AIRBOAT IN A CAUSE
OF ACTION FOR EXONERATION FROM, OR
LIMITATION OF LIABILITY

Case No: 2:14-cv-380-FtM-29CM

ORDER

Before the Court is the parties' Agreed Motion to Excuse Meeting in Person to Prepare CMR ("Motion") (Doc. 25), filed on December 22, 2014. The parties state that the offices of their respective counsel are located in Tampa and North Miami Beach, and therefore waiving the in-person meeting requirement will enable them to "avoid the unnecessary expense of travel and time" that is required of an in-person meeting. Doc. 25 at 2. The parties also state that they already have prepared a draft of the Case Management Report ("CMR") without issue. *Id.* at 1. Thus, the Court finds good cause and will waive the requirement that the parties meet in person to prepare the CMR.

Moreover, as the parties correctly state, Claimant Stephen Palmer filed an unopposed motion to lift the stay and permit him to litigate his claims in Florida state court. *Id.*; see Doc. 24. Because the Court now has recommended that Claimant's

motion to lift the stay be granted and he be permitted to pursue his personal injury claims in state court, filing a CMR will be unnecessary in the event the District Court accepts the undersigned's recommendation. *See* Doc. 26. The parties therefore also are relieved of their obligation to file a CMR until fourteen (14) days after the date of an Order denying Claimant's motion to lift the stay, in the event the Court does not accept the undersigned's recommendation and the case remains active in this Court.

ACCORDINGLY, it is hereby

ORDERED:

1. The Agreed Motion to Excuse Meeting in Person to Prepare CMR (Doc. 25) is **GRANTED**. The requirement that the parties conduct the case management conference in person is hereby waived.

2. The deadline for jointly filing a Case Management Report is extended until fourteen (14) days after the entry of an Order on the pending Report and Recommendation (Doc. 26), in the event the Court does not accept the recommendation that Claimant be permitted to pursue his claims in state court.

DONE and **ENTERED** in Fort Myers, Florida on this 29th day of December, 2014.


CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record