

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DYCK-O'NEAL, INC.,

Plaintiff,

v.

Case No: 2:15-cv-27-FtM-38DNF

BRANDT ENGLAND,

Defendant.

ORDER¹

This matter comes before the Court on Plaintiff Dyck-O'Neal, Inc. and Defendant Brandt England's Stipulation for Order of Dismissal As to Count II of Defendant's Counterclaim Only ([Doc. #32](#)) filed on June 8, 2015. Plaintiff commenced this deficiency judgment action on June 30, 2014. ([Doc. #3](#)). In response, Defendant filed an answer, affirmative defenses, and two counterclaims. ([Doc. #28](#)). The parties now stipulate to dismissing the second counterclaim – *i.e.*, violation of the Florida Consumer Collection Practices Act, Fla. Stat. § 559.55 – with each party to bear its own attorney's fees and costs.

Accordingly, it is now

ORDERED:

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or Web sites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other Web sites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the Court has no agreements with any of these third parties or their Web sites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

(1) Plaintiff Dyck-O'Neal, Inc. and Defendant Brandt England's Stipulation for Order of Dismissal As to Count II of Defendant's Counterclaim Only ([Doc. #32](#)) is **GRANTED**.

(2) Defendant Brandt England is **DIRECTED** to file an amended answer, affirmative defenses, and counterclaim that removes the second counterclaim and otherwise comports with this Order on or before **June 16, 2014**. Plaintiff Dyck-O'Neal shall file a response thereto within **seven (7) days** of receiving the amended answer.

DONE and **ORDERED** in Fort Myers, Florida this 9th day of June, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record