

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

BRADLEY BEATTY,

Plaintiff,

v.

Case No: 2:15-cv-607-FtM-38CM

UNITED PARCEL SERVICE, INC.,

Defendant.

ORDER¹

This matter comes before the Court on Defendant United Parcel Service, Inc.'s Motion for Summary Judgment ([Doc. #42](#)) filed on October 3, 2016. The Court denies without prejudice Defendant's motion because it does not comply with the Court's procedure on a motion for summary judgment. Each motion for summary judgment must include a specifically captioned section titled, "Statement of Material Facts," that lists each material fact alleged not to be disputed in *separate, numbered paragraphs*. See [Letter to Counsel Regarding Updates to Policies and Procedures](#) (Oct. 14, 2015) (emphasis added).² Because Defendant's motion does not list each fact alleged to be disputed in separate, numbered paragraphs, the Court denies its motion without prejudice.

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. 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 websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. 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.

² See also the undersigned's website at <http://www.flmd.uscourts.gov/judicialinfo/ftmyers/JgChappell.htm>.

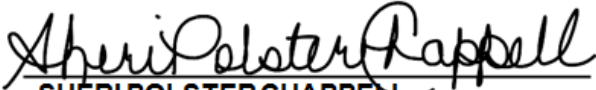
In addition, the undersigned requires any motion for summary judgment (or response thereto) containing exhibits that total more than ten (10) pages to have an index to the exhibits that lists the exhibit number and title of the exhibit. Counsel must file the index as the first attachment to the parent document. To view a sample exhibit index, counsel should visit the undersigned's website.

Accordingly, it is now

ORDERED:

The Defendant United Parcel Service, Inc.'s Motion for Summary Judgment ([Doc. #42](#)) is **DENIED without prejudice**. Defendant may file an amended motion for summary judgment that complies with the Court's procedures on or before **October 7, 2016**. Plaintiff Bradley Beatty may file a response thereto within **fourteen (14) days** of service of Defendant's amended motion for summary judgment.

DONE and **ORDERED** in Fort Myers, Florida this 4th day of October, 2016.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record