

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ASHA OSMAN,

Plaintiff,

v.

Case No: 2:16-cv-488-FtM-99CM

STEVEN DEHAAN, KEVIN J.  
RAMBOSK and NORTHWOOD  
HOSPITALITY LLC,

Defendants.

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**ORDER**

This matter comes before the Court upon review of Defendant, Northwood Hospitality, LLC's, Motion for Leave to Allow Insurance Adjustor to Attend Mediation by Telephone (Doc. 32) filed on July 17, 2017 and the parties' Stipulation for Two-Day Mediation Extension (Doc. 33), construed as a Motion to Extend Mediation Deadline, filed on July 19, 2017.

Defendant, Northwood Hospitality, LLC ("Defendant"), is insured by two separate companies, Travelers and Broadspire. Doc. 32 at 1. Defendant states that it is unlikely to meet its retention of Travelers prior to a settlement agreement. *Id.* at 2. Based on Defendant's retention with Travelers and Plaintiff's current settlement demand, it is unlikely Travelers will contribute toward any settlement payment. *Id.* Moreover, to the extent Travelers' participation in mediation is necessary and warranted, the claims manager, Thomas Krcmarik, will be available by telephone, if permitted. *Id.* at 2. Defendant, therefore, requests that Travelers'

insurance adjuster be excused from attending mediation in person. All other parties consent to the requested relief. *Id.*

The use of telephonic hearings and conferences is generally encouraged. M.D. Fla. Rule 3.01(I). Further, Local Rule 9.01(b) provides that it is “the purpose of the Court, through adoption and implementation of [Local Rule 9.01], to provide for an alternative mechanism for the resolution of civil disputes . . . with resultant savings in time and costs to the litigants and to the Court. . . .” M.D. Fla. Rule 9.01(b). Given that the parties are in agreement regarding the telephonic appearance and Defendant’s representation to the Court that Travelers’ representative’s appearance is unlikely to facilitate settlement, the Court will grant the motion. Mr. Krcmarik, however, shall remain available throughout the *entirety* of the mediation by telephone.

The parties also request a two-day extension of their previously scheduled mediation deadline of July 31, 2017. Doc. 33 at 1. The Court finds good cause to grant the short extension.

ACCORDINGLY, it is hereby

**ORDERED:**

1. Defendant, Northwood Hospitality, LLC’s, Motion for Leave to Allow Insurance Adjustor to Attend Mediation by Telephone (Doc. 33) is **GRANTED**. Mr. Krcmarik shall remain available throughout the *entirety* of the mediation by telephone.

2. Stipulation for Two-Day Mediation Extension (Doc. 33), construed as a Motion to Extend Mediation Deadline, is **GRANTED**. The parties shall have up to and including August 2, 2017 to complete mediation.

**DONE** and **ORDERED** in Fort Myers, Florida on this 25th day of July, 2017.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record