

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LANDMARK AMERICAN
INSURANCE COMPANY,

Plaintiff,

v.

Case No: 2:16-cv-582-FtM-99CM

NORTH CAPTIVA ISLAND CLUB,
INC., JANE DOE #1 and JANE
DOE #2,

Defendants/Third
Party Plaintiff

JANE DOE #1, JANE DOE #2,
LANDMARK AMERICAN
INSURANCE COMPANY and
SCOTTSDALE INSURANCE
COMPANY,

Third Party Defendants.

ORDER

This matter comes before the Court upon review of the Joint Motion for Extension of Time of the Case Management and Scheduling Order (Doc. 63) filed on April 27, 2017. The parties seek to extend all existing Case Management and Scheduling Order deadlines by approximately ninety (90) days. Doc. 63 at 5. For the reasons stated in the motion, the Court finds good cause to grant the extensions.

The parties also advise that they have scheduled a mediation in their underlying state court action¹ with Mediator Steven Brannan for June 26, 2017.

¹ *Jane Doe #1 et. al. v. N. Captiva Island Club, Inc. et. al.*, Case No. 16-CA-002065, in

Doc. 63-1 at 1. The parties request that the mediation requirements in this matter be recognized satisfied upon all parties to this action attending and mediating the claims in this action, in good-faith, in tandem with those claims comprising the underlying action. Doc. 63 at 5. Although the Court would be inclined to grant the parties' request for the reasons stated in their motion, Mediator Steven Brannan is not on the Middle District of Florida's List of Certified Mediators.² The Court requires that mediation be conducted by a Court certified mediator. M.D. Fla. R. 9.01(a). Accordingly, the Court will deny this request without prejudice. Should the parties wish to reschedule their mediation in the underlying state court action with a Middle District of Florida certified mediator, they may renew their motion. Otherwise, the parties shall have fourteen days from the date of this Order to file a stipulation selecting a mediator for this case.

ACCORDINGLY, it is hereby

ORDERED:

1. Joint Motion for Extension of Time of the Case Management and Scheduling Order (Doc. 63) is **GRANTED in part and DENIED without prejudice in part.**
2. An Amended Case Management and Scheduling Order will be entered under separate cover.
3. The parties shall have up to and including May 19, 2017 to file a stipulation selecting a mediator for this case.

the Circuit Court of the Twentieth Judicial Circuit in and for Lee County, Florida.

² See <https://www.flmd.uscourts.gov/mediator/pub/MediatorList.cfm>

DONE and **ORDERED** in Fort Myers, Florida on this 4th day of May, 2017.



CAROL MIRANDO
United States Magistrate Judge

Copies:
Counsel of record