UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION

TB FOOD USA, LLC, a Delaware Limited Liability Company,

Plaintiff,

v.

CASE NO. 2:17-cv-9-FtM-29NPM

AMERICAN MARICULTURE, INC., a Florida Corporation, AMERICAN PENAEID, INC., a Florida Corporation, and ROBIN PEARL,

Defendants.

AMERICAN MARICULTURE, INC., a Florida Corporation,

Third-Party Plaintiff,

v.

PB LEGACY, INC. a Texas Corporation,

Third-Party Defendant.

ORDER

On November 4, 2021, plaintiff TB Food USA, LLC filed a Motion For Judicial Notice, And For The Court To Instruct The Jury That It Must Accept The Court's Findings of Fact And Of Law Set Forth In The Court's Opinion And Order On Defendant's Motion For Summary Judgment (Doc. #440), during the trial in this matter. The Court declined to take judicial notice or so instruct the jury. (Doc. #470, pp. 174-76). This motion is therefore **denied**.

Accordingly, it is hereby

ORDERED:

Plaintiff TB Food USA, LLC's Motion For Judicial Notice, And For The Court To Instruct The Jury That It Must Accept The Court's Findings of Fact And Of Law Set Forth In The Court's Opinion And Order On Defendant's Motion For Summary Judgment (Doc. #440) is DENIED.

DONE and ORDERED at Fort Myers, Florida, this <u>3rd</u> day of January, 2022.

JOHN E. STEELE SENIOR UNITED STATES DISTRICT JUDGE

Copies: Parties of record