

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ALLIED WORLD ASSURANCE
COMPANY,

Plaintiff,

v.

Case No: 2:18-cv-158-FtM-38CM

LEE MEMORIAL HEALTH SYSTEM,
LESLEY HOLMAN, DOMINGO
PEREZ TROY and MARIA PEDRO
RUPERTO,

Defendants.

ORDER¹

Before the Court is Allied World Assurance Company's Notice of Filing Exhibit ([Doc. 43](#)) and the attached Exhibit A, which Allied inadvertently omitted from its Motion for Judgment on the Pleadings ([Doc. 37](#)). Exhibit A purports to be a letter sent from Lee Health to Allied on December 1, 2017, in response to a request for information. In paragraph 36 of its Answer, Lee Health admitted that it sent a response to Allied on December 1, 2017 ([Doc. 25 at ¶ 36](#)), and Lee Health's Response to Allied's Motion references a December 1, 2017 letter ([Doc. 40](#)). But because of Allied's late submission

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of Exhibit A, Lee Health might not have had an opportunity to review it before filing its Response.


Accordingly, it is now

ORDERED:

Defendant Lee Memorial Health System is **DIRECTED** to do one of the following on or before **October 1, 2018**:

1. File a supplemental response of no more than 3 pages; or
2. Re-file the original Response in Opposition (Doc. 40) with any additions or corrections.

DONE and **ORDERED** in Fort Myers, Florida this 26th day of September, 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record