

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, MARIA PEDRO
RUPERTO and LEXINGTON
INSURANCE COMPANY,

Defendants.

ORDER¹

Before the Court is Allied World Assurance Company's Motion for Summary Judgment. ([Doc. 55](#)). Because Allied failed to follow this Court's requirements on a motion for summary judgment, its motion is denied without prejudice.

The Court's [website](#) lays out specific requirements for the filing of a motion for summary judgment. Pertinent here, a moving party must include a section titled, "Statement of Material Facts," that lists each material fact alleged not to be disputed in separate, numbered paragraphs. Allied fails to separate its undisputed facts into

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.

numbered paragraphs. Further, an exhibit index is required if a motion for summary judgment or response includes exhibits exceeding ten pages. That is the case here, and Allied is missing an exhibit index. Thus, the Court denies the motion without prejudice.


Accordingly, it is now

ORDERED:

(1) Allied World Assurance Company's Motion for Summary Judgment ([Doc. 55](#)) is **DENIED without prejudice**.

(2) Allied World Assurance Company may file an amended motion for summary judgment that complies with the Court's procedures **on or before January 24, 2019**. Defendants may file a response within **fourteen (14) days** of service of Allied World Assurance Company's amended motion for summary judgment.

DONE and **ORDERED** in Fort Myers, Florida this 17th day of January 2019.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record