

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

LAWRENCE CHAMBERLAIN \*

Plaintiff \*

vs. \* CASE NO. 3:09-CV-10809

R.J. REYNOLDS TOBACCO COMPANY, \*

Individually and as Successor \*

By Merger to the BROWN & \*

WILLIAMSON TOBACCO CORPORATION, \*

and LORILLARD TOBACCO COMPANY \*

Defendants \*

\* \* \* \* \*

ORDER RE: OUTSTANDING MOTIONS

The Court has before it the following motions:

1. Defendants' Motion to Strike Plaintiff's New Exhibits and New Deposition Disclosed on October 26, 2013 [Document 193], filed October 31, 2013;
2. Defendants' Motion to Strike Plaintiff's Improper Disclosure of Exhibits that Plaintiff Intends to Use With Dr. K. Michael Cummings [Document 206], filed November 3, 2013;
3. Defendants' Renewed Motion for Mistrial [Document 212], filed November 6, 2013;
4. Defendants' Renewed Motion for Mistrial Due to the Improper Redirect Examination Testimony of Dr. Michael Cummings [Document 221], filed November 8, 2013;
5. Defendants' Motion for Judgment as a Matter of Law and Incorporated Memorandum of Law [Document 239], filed November 15, 2013; and

6. Defendants' Motion for Judgment as a Matter of Law on Plaintiff's Fraudulent Concealment and Conspiracy to Commit Fraudulent Concealment Claims and Incorporated Memorandum of Law [Document 240], filed November 15, 2013.

Upon review of these open and pending motions, the Court determines that these matters were ruled on, otherwise resolved in this case at trial, or became moot.

Accordingly, the Clerk of the Court is directed to terminate the above motions.

SO ORDERED, on Tuesday, November 19, 2013.

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/s/  
Marvin J. Garbis  
United States District Judge