

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DR. WARREN KLUGER, et al.,

Plaintiffs,

v.

Case No.3:11-cv-554-J-12TEM

EXCELLENT DESIGNER HOMES OF
JACKSONVILLE, et al.,

Defendants.

ORDER

This cause is before the Court on "Titan Propane's Motion to Dismiss...or, Alternatively, Motion for More Definite Statement" (Doc. 5), filed June 3, 2011, the date of removal of this action from state court. Defendant Titan Propane, LLC, seeks dismissal of Counts XXII through XXV of Plaintiffs' Complaint (Doc. 2), with the exception of a duplicate Count XXII asserting Plaintiffs' claim for negligence. Upon review of the motion, the Court notes that it does not contain a signature as required by M.D.Fla. Rule 1.05(d) and Fed.R.Civ.P. 11. As of the date of this Order, Plaintiffs have not filed a response in opposition to the motion. Accordingly, it is

ORDERED AND ADJUDGED:

That Titan Propane's Motion to Dismiss... or, Alternatively, Motion for More Definite Statement" (Doc. 5) is hereby stricken without prejudice to its right to refile its motion in accordance with the applicable Federal Rules of Civil Procedure and the Rules of this Court by July 25, 2011.

DONE AND ORDERED this 13th day of July 2011.

Howell W. Melton
Senior U.S. District Judge

c: Counsel of Record