

KLUGER ET AL. V. EXCELLENT DESIGNER HOMES OF JACKSONVILLE, INC. ET AL.  
Doc. 63

**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.

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**ORDER**

This cause is before the Court on the parties' Joint Motion to Extend Case Management Deadlines (Doc. 63), filed March 20, 2012. The Court finds that the parties have established good cause for the requested extensions and will grant the motion.

The Court also has reviewed the docket in this case and notes that only Plaintiffs, and Defendants Titan Propane LLC and Omega Flex, Inc. have joined in the motion to extend case management deadlines. Plaintiff's Complaint (Doc. 2), however, names a total of 8 Defendants. Regarding the other 6 Defendants, Excellent Designer Homes of Jacksonville, Inc., JD Vaughn & Sons Plumbing, Inc., Bivins Electric Company, Inc., Heritage Operating, LP, Cornerstone Propane, LP, and Energy Transfer Partners GP, LP, Plaintiff filed a Notice of Dismissal with Prejudice (Doc. 9) as to 5 of those 6, and the 6<sup>th</sup> Defendant, Cornerstone Propane LP has never appeared in this action. Defendant Omega Flex, Inc. filed its answer and affirmative defenses to Plaintiff's Complaint, as well as a cross-claim against all 7 of its co-defendants (see Doc. 6), but nothing appears in the record to indicate the status of the cross-claims.

It would be helpful to the Court at this juncture in the litigation to have a statement

from the parties as to which of Plaintiff's claims and Defendant Omega Flex, Inc.'s cross-claims remain for disposition. Accordingly, upon review of the motion and the docket in this case, it is

**ORDERED AND ADJUDGED:**

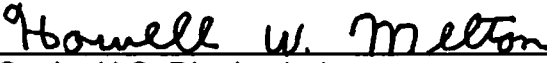
1. That the parties' Joint Motion to Extend Case Management Deadlines (Doc. 63) is granted and the Case Management and Scheduling Order (Doc. 51) is hereby amended to reflect the following rescheduled dates and deadlines:

- |   |           |  |
|---|-----------|--|
| a) Disclosure of expert reports:        | Plaintiff | 10/23/12   |
|   | Defendant | 12/7/12  |
| b) Discovery deadline:                  |           | 1/7/13   |
| c) Mediation deadline:                  |           | 12/21/12   |
| d) Dispositive/Daubert motion deadline: |           | 2/1/13   |
| e) Final Pretrial Conference:           |           | to be scheduled after mediation and resolution of any dispositive motions; |

and

2) That the parties shall have until April 23, 2012, to file a notice with the Court regarding the status of the parties and claims in Plaintiff's Complaint (Doc. 2) and Defendant Omega Flex, Inc.'s cross-claim (Doc. 6).

**DONE AND ORDERED** this 4th day of April 2012.

  
Senior U.S. District Judge

c: Counsel of Record