

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

**ROBERT BERNHARD and THOMAS
SANTARLAS, Chief**

Plaintiffs,

v.

Case No: 5:16-cv-380-Oc-32PRL

**CITY OF COLEMAN, FLA. and
MILTON HILL**

Defendants.

ORDER

This matter is before the Court for consideration of Defendant's Motion to Excuse Party Attendance at Mediation. (Doc. 24). Individual defendant, Milton Hill, requests permission to be excused from the mediation which is set for April 24, 2017. He states that the claims against him are covered by the Florida Municipal Insurance Trust from the City, and a representative of the Florida Municipal Insurance Trust will be physically attending mediation on April 27, 2017, on behalf of both of the Defendants. He also states he is in ill health, homebound, is preparing for surgery, and provides a doctor's note in support of his motion. (Doc. 24-1).

Although Defendant Hill recites that the motion is opposed by Plaintiffs (Doc. 24, p. 2), Plaintiffs have failed to file a response as required by Local Rule 3.01(b), and the time for responding has expired. Accordingly, upon due consideration, Defendant's Motion (Doc. 24) is

GRANTED, and Defendant Milton Hill shall be excused from in person attendance at the mediation.

DONE and **ORDERED** in Ocala, Florida on February 16, 2017.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties