

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

**PNC BANK NATIONAL
ASSOCIATION, a national banking
association, successor-by-merger with
RBC Bank (USA) a North Carolina state-
chartered bank, successor-by-merger
with Florida Choice Bank, a Florida
state-chartered bank**

Plaintiff,

v.

Case No: 5:16-cv-580-Oc-PGB-PRL

**ORANGE THORPE INVESTMENTS,
LLC, LOST LAKE PROFESSIONAL
VILLAGE CONDOMINIUM
ASSOCIATION, INC. and LOST LAKE
RESERVE COMMERCIAL
PROPERTY OWNERS ASSOCIATION,
INC.**

Defendants.

ORDER


This foreclosure action is before the Court for consideration of Plaintiff's Motion to Strike Answer (Doc. 22). Previously, Defendant Lost Lake Professional Village Condominium Association, Inc. was directed to show cause, by written response filed on or before January 17, 2017, why Plaintiff's motion to strike should not be granted. (Doc. 23). Defendant has not responded, and the time for responding has expired.

As Plaintiff notes in its motion, the Defendant failed to file a timely response to the Complaint. Following Plaintiff's motion for Entry of Default, the Clerk entered Default against the non-appearing defendants, including Lost Lake Professional Village Condominium

Association, Inc., on November 17, 2016. (Doc. 19). On November 30, 2016, an Answer was filed on behalf of Lost Lake Professional Village Condominium Association, Inc., however, the Defendant did not move to set aside the entry of default or seek leave of court to file its Answer. Plaintiff thus requests that the Answer be stricken. Meanwhile, the Court notes that the Defendant, despite being represented by counsel, has not responded to the motion to strike, has not responded to the Court's show cause Order, and has failed to make any other appearance in this case aside from the untimely filing of the Answer on November 30, 2016.

Accordingly, Plaintiff's Motion to Strike Answer (Doc. 22) is **GRANTED**, and the Answer filed by Defendant Lost Lake Professional Village Condominium Association, Inc. (Doc. 20) is hereby **STRICKEN**, but shall remain as filed. In an abundance of caution, the Clerk is directed to mail a copy of this Order to Defendant's counsel at his address of record.

DONE and ORDERED in Ocala, Florida on January 23, 2017.



PHILIP R. LAMMENS
United States Magistrate Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties