

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

**KIMBERLY MILLER,**

**Plaintiff,**

v.

**Case No: 5:17-cv-155-Oc-PGBPRL**

**STATE FARM MUTUAL  
AUTOMOBILE INSURANCE**

**Defendant.**

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**ORDER**

This matter is before the Court on Defendant's motions to abate Count II and to strike the claim for fees in Count I. (Docs. 4, 5). Both of the motions were filed in state court before this action was removed, and neither motion complies with the requirements of the Local Rules for the Middle District of Florida. *See e.g.*, L. R. 3.01(a) (every motion shall include a memorandum of legal authority); and L. R. 3.01(g) (requiring certification that the parties have conferred in a good faith effort to resolve issue prior to filing motion). Accordingly, Defendant's motions (Docs. 4 & 5) are due to be **denied** without prejudice.

**DONE and ORDERED** in Ocala, Florida on April 17, 2017.



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PHILIP R. LAMMENS  
United States Magistrate Judge

Copies furnished to:

Counsel of Record  
Unrepresented Parties