

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

MAZEL INVESTMENTS, LLC,

Plaintiff,

-vs-

Case No. 6:09-cv-1410-Orl-31GJK

**AXA CORPORATE SOLUTIONS EXCESS
AND SURPLUS LINES INSURANCE
COMPANY; XL SPECIALTY
INSURANCE COMPANY,**

Defendants.

ORDER

This matter comes before the Court on the Joint Motion to Temporarily Suspend Responses/Replies and Correct Suit Caption (Doc. 54). The parties seek to suspend any obligation to respond to the Defendants' Motion for Summary Judgment (Doc. 43) for an unspecified period of time, but at least for several months. The parties provide several reasons for this delay, including the appearance of new defense counsel, who need time to be brought up to speed on the case, and the need to schedule around various attorneys' vacation plans. In addition, the parties have a mediation scheduled for May 18, 2010, and wish to avoid the costs of depositions and other discovery prior to a potential settlement on that date.

However, this Court has already suspended the deadlines for responding to the summary judgment motion, pending resolution of the Defendants' motion for protective order. Thus any request for a suspension is moot at this time. Once the motion for protective order has been ruled on, the Court will likely require the parties to address the motion for summary judgment


expeditiously. If the parties wish to delay resolution of that motion, the Defendants may withdraw it, to be refiled at an appropriate time.

The parties also seek the entry of an order correcting the case caption to reflect the dismissal of several of the original defendants. However, the caption has already been corrected, meaning that this request is also moot.

Finally, though not mentioned in the motion title, current counsel for the Defendants seek to withdraw in favor of a new firm, which has already made an appearance. Although this request appears to be valid, for administrative purposes, defense counsel should file a separate motion to withdraw. Accordingly, the request will be denied without prejudice.

In consideration of the foregoing, it is hereby **ORDERED** that the Joint Motion to Temporarily Suspend Responses/Replies and Correct Suit Caption (Doc. 54) is **DENIED IN PART AS MOOT** and **DENIED IN PART WITHOUT PREJUDICE**, as set forth above.

DONE and **ORDERED** in Chambers, Orlando, Florida on May 10, 2010.


GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party