

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

**PROGRESSIVE EXPRESS INSURANCE
COMPANY,**

Plaintiff,

v.

Case No: 6:14-cv-2046-Orl-40DAB

**BIG MAN MOVERS CORP., WESLEY G.
RIDGEWELL, INTERIORS FOR
SENIORS, LLC and SALLOUM
ENTERPRISE, INC.,**

Defendants.

ORDER

The matter came on for oral argument on the motion of non-party, Old Republic Insurance Company, for substitution as party Defendant (Doc. 45). As set forth in hearing, the Court has concerns that due to developments in the underlying state court proceeding, at least part of this action is moot and there may be no jurisdiction in this Court to consider the remaining issues (if any). Therefore, it is **ordered** as follows:

1). Plaintiff shall tender a complete copy of the Policy at issue in this case to counsel for Old Republic **forthwith**;

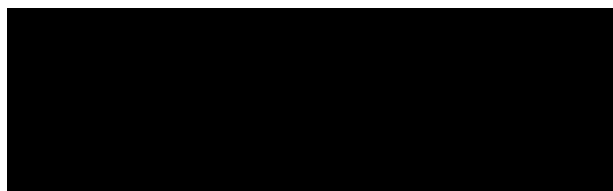
2). After review of the Policy, all counsel shall confer regarding the effect of the Policy. By **Tuesday, January 26, 2016**, the parties shall either file a stipulation that coverage does not exist, or shall file a joint report which shall include:

a) a specific identification of what issues remain in dispute. This should include a copy of any dismissal order entered in the underlying state court suit and a statement as to what issues are moot.

b) a specific showing with respect to the Court's jurisdiction to consider any remaining issues. This should include a showing as to the citizenship of all relevant parties, including Old Republic, and a showing as to the amount presently in controversy, considering the settlement of the underlying matter and Old Republic's representation at hearing that attorney's fees are not being sought.

Upon review of these papers, the Court will then consider, if appropriate, the motion for substitution. For present purposes, the parties are **relieved of their obligation to mediate this matter**, pending further developments.

DONE and ORDERED in Orlando, Florida on January 20, 2016.



Copies furnished to:

Counsel of Record