

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

KAREN SIMON,

Plaintiff,

v.

Case No. 6:14-cv-2125-Orl-37GJK

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

ORDER

This cause is before the Court on the following:

1. Defendant State Farm Mutual Automobile Insurance Company's Motion to Abate Plaintiff's Unaccrued Claims for Bad Faith and Incorporated Memorandum of Law (Doc. 24), filed February 26, 2015; and
2. Plaintiff Karen Simon's Response to Defendant State Farm Mutual Automobile Insurance Company's Motion to Abate (Doc. 26), filed March 10, 2015.

This insurance coverage action is before the Court on Defendant's request to abate Plaintiff's bad faith claim. (Doc. 24.) Defendant argues that the bad faith claim will not accrue until coverage has been determined. (*Id.*) Plaintiff disagrees but nevertheless does not oppose abatement of the bad faith claim. (See Doc. 26.)

Accordingly, it is hereby **ORDERED AND ADJUDGED**:

1. Defendant State Farm Mutual Automobile Insurance Company's Motion to Abate Plaintiff's Unaccrued Claims for Bad Faith and Incorporated Memorandum of Law (Doc. 24) is **GRANTED**.

2. Plaintiff's common law bad-faith and statutory bad-faith claims in Counts III and IV of her Second Amended Complaint (Doc. 22, ¶¶ (Count III) and statutory bad faith (Count IV) claims are **ABATED** pending disposition of her coverage and breach of contract claims in Counts I and II.

DONE AND ORDERED in Chambers in Orlando, Florida, on March 12, 2015.



ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record