

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

**CELIANNE SANTOS ROMERO and  
CHILDREN'S PLAYSKOOL, LLC,**

**Plaintiffs,**

**v.**

**Case No: 6:15-cv-816-Orl-31TBS**

**EARLY LEARNING COALITION OF  
FLAGLER AND VOLUSIA COUNTIES,  
INC., FLORIDA OFFICE OF EARLY  
LEARNING and FLORIDA  
DEPARTMENT OF HEALTH,**

**Defendants.**

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**ORDER**

This matter comes before the Court without a hearing on the Motion to Dismiss filed by Defendant Florida Department of Health ("FDOH") (Doc. 17) and the response in opposition (Doc. 21) filed by the Plaintiffs. FDOH raises a number of arguments as to why the instant complaint should be dismissed, but the Court need only address one: As described by FDOH in its motion, the complaint is a quintessential "shotgun" pleading, with 20 pages of factual allegations asserted as to the first count, and all of those allegations and the allegations of the first count asserted as to the second count, and so on as to all five counts of this 33-page complaint. As a result, each count incorporates a host of irrelevant allegations, and the amount of work required to unpack, interpret and respond to the complaint is greatly multiplied. This is unacceptable. *See, e.g., Strategic Income Fund v. Spear, Leeds & Kellogg Corp.*, 305 F. 3d 1293, 1295 (11th Cir. 2002). Accordingly, it is hereby

**ORDERED** that the Motion to Dismiss (Doc. 17) is **GRANTED IN PART**, and the Complaint (Doc. 1) is **DISMISSED WITHOUT PREJUDICE**. All pending motions are **DENIED AS MOOT**. Should the Plaintiffs wish to file an amended complaint, they must do so on or before August 19, 2015. Plaintiffs' counsel is warned that the filing of another shotgun pleading will result in sanctions.

**DONE** and **ORDERED** in Chambers, Orlando, Florida on August 5, 2015.



  
GREGORY A. PRESNELL  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Party