

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

ALLIED WORLD SPECIALTY
INSURANCE COMPANY,

Plaintiff,

v.

Case No. 6:15-cv-1397-Orl-37TBS

LAWSON INVESTMENT GROUP, INC.;
CENTRAL FLORIDA PLUMBING
SUPPLY, INC.; WILLIAM E. LAWSON,
and CHARLENE H. LAWSON,

Defendants.

ORDER

This cause is before the Court on the following:

1. Defendants' Motion to Strike Plaintiff Allied World Specialty Insurance Company's Reply to Objection to Motion for Preliminary Injunction, Supplemental Affidavit of James A. Keating and Proposed Order (Doc. 52), filed February 4, 2016; and
2. Allied World Specialty Insurance Company's Response to Motion to Strike (Doc. 58), filed February 8, 2016.

As the third Order the Court has issued in this case within the past week alone, it wearily provides the relevant procedural posture. Plaintiff has moved for a preliminary injunction in this breach-of-contract action. (Doc. 32 ("**P.I. Motion**").) Defendants responded. (Doc. 45.) Plaintiff moved to file a reply (Doc. 49 ("**Reply Motion**")), and the Court permitted Plaintiff to file a reply limited to the issues it identified in its Reply Motion ("**Limited Issues**") (Doc. 50.) Plaintiff replied (Doc. 51 ("**Reply**")) and attached the

following documents: (1) a supplemental affidavit of James A. Keating (“**Supplemental Affidavit**”) (Doc. 51-1); (2) five exhibits to the Supplemental Affidavit (Doc. 51-2 to 5-6); and (3) a proposed order granting the P.I. Motion (Doc. 51-7).

Defendants now move to strike the Reply, Supplemental Affidavit, and proposed order on the ground that these filings exceed the scope of the Limited Issues. (Doc. 52 (“**Motion to Strike**”).) In response, Plaintiff represents that the entirety of the Reply and the attached exhibits are necessary to address the Limited Issues. (Doc. 58.)

Upon consideration of the parties’ briefing, the Court finds that, while the contents of the Reply brief are within the scope of the Limited Issues, the exhibits to the Reply are not. The Court did not permit Plaintiff to file the Supplemental Affidavit nor any of the exhibits thereto. Additionally, the Court did not permit Plaintiff to file a proposed order. Therefore, all seven exhibits to Plaintiffs’ Reply are due to be stricken. To the extent that Plaintiff wishes to submit additional testimony from Mr. Keating, it may do so in the form of live testimony at Wednesday’s hearing on the P.I. Motion.

Accordingly, it is hereby **ORDERED AND ADJUDGED** that Defendants’ Motion to Strike Plaintiff Allied World Specialty Insurance Company’s Reply to Objection to Motion for Preliminary Injunction, Supplemental Affidavit of James A. Keating and Proposed Order (Doc. 52) is **GRANTED IN PART**. The Clerk is **DIRECTED** to strike all exhibits to Plaintiff Allied World Specialty Insurance Company’s Reply to Objection to Motion for Preliminary Injunction (Doc. 51-1 to 51-7) and remove them from the docket.

DONE AND ORDERED in Chambers in Orlando, Florida, on February 9, 2016.




ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record