

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FILOMENA MATOS-CRUZ,

Plaintiff,

v.

Case No. 6:17-cv-380-Orl-37TBS

JETBLUE AIRWAYS CORPORATION;
ABM AVIATION, INC.,

Defendants.

ORDER

On June 26, 2016, Defendant ABM Aviation, Inc. moved to dismiss Plaintiff's initial complaint. (Doc. 12 ("**ABM's MTD**").) The Court later granted ABM's MTD as unopposed due to Plaintiff's failure to respond. (Doc. 18 ("**August 1 Order**").) The August 1 Order also noted that Defendant JetBlue Airways Corporation ("**JetBlue**") had not yet appeared in this action and directed Plaintiff to indicate: (1) whether she had served Jet Blue; and (2) if so, why she had not yet moved for the entry of Clerk's default ("**Show Cause Directive**"). (*Id.* at 3.)

Recognizing the implications of the Show Cause Directive, JetBlue suddenly appeared and moved to dismiss Plaintiff's complaint based on the same grievances espoused in ABM's MTD. (*See* Doc. 20 ("**JetBlue's MTD**").) But there is no operative complaint remaining in this action to dismiss;¹ thus, JetBlue's MTD is due to be denied as

¹ Plaintiff was given until August 9, 2017, to file an amended complaint. (Doc. 18, p. 3.)


moot. Notwithstanding JetBlue's dilatory response, as it has now appeared and indicated its intent to defend this action, the Court will discharge its Show Cause Order.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Defendant JetBlue Airways Corporation's Motion to Dismiss or, in the Alternative, Motion for More Definite Statement (Doc. 20) is **DENIED AS MOOT**.
2. The portion of the Court's August 1 Order directing Plaintiff to show cause whether it had served JetBlue and, if so, why it had not yet moved for the entry of Clerk's default (Doc. 18, p. 3, ¶ 3) is **DISCHARGED**.

DONE AND ORDERED in Chambers in Orlando, Florida, on August 3, 2017.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record