

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

PATRICIA KENNEDY,

Plaintiff,

v.

Case No: 6:17-cv-454-Orl-31KRS

**IMDAD HAIDER IRA, LLC, SUTERA
RESTAURANTS, INC. and THE
SHERWIN-WILLIAMS COMPANY,**

Defendants.

ORDER

On March 27, 2017, Magistrate Judge Spaulding entered a Report and Recommendation, *sua sponte*, recommending that this case be severed into three separate lawsuits (Doc. 6).

Plaintiff has objected to the Report and Recommendation (Doc. 16).

This Court has reviewed the matter *de novo* and concurs with Magistrate Judge Spaulding's recommendation. While joinder might be appropriate under Rule 20 of the Federal Rules of Civil Procedure, it is this Court's experience that joinder of claims such as these result in delay and inefficiencies. The Court thus exercises its discretion to follow the example of Judge Conway in a similar case, *Kennedy v. Skyview Plaza, et al.*, Case No. 6:16-cv-2128.

It is therefore **ORDERED** that the Report and Recommendation of Judge Spaulding is **CONFIRMED** and **ADOPTED** as a part of this Order. It is further **ORDERED** that:

(1) This case is severed into separate lawsuits, as specified below, with the claims Plaintiff asserts jointly against Imdad Haider and Sutera remaining in the instant case;

(2) Plaintiff shall file an amended complaint in this case that asserts only the claims she pursues jointly against Imdad Haider and Sutera;

(3) Plaintiff shall file separate actions for the remainder of her claims and pay a filing fee for each new case. If Plaintiff continues to assert the claims alleged in the current complaint, the separate actions should be filed as follows:

- a. One action asserting the claims she pursues jointly against Imdad Haider and Sherwin-Williams; and
- b. One action asserting only the claims for which Imdad Haider is solely liable (the parking violations identified in Paragraph 28(a)-(e) of the current complaint).

(4) The Clerk of Court shall advise chambers when the severed claims are filed as new cases so that the Court may consider whether to consolidate all cases filed pursuant to this Order before the same District Judge and Magistrate Judge.

DONE and ORDERED in Chambers, Orlando, Florida on April 24, 2017.




GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party