

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

DENNIS HUNT,

Plaintiff,

vs.

**LAW LIBRARY BOARD,
a Board created by
Hillsborough County, Florida;**

**NORMA J. WISE,
in her official capacity as Director
of the James J. Lunsford Law Library,
and individually; and,**

**DAVID L. PILVER,
individually,**

Defendants.

Case No. 8:07-cv-1168-T-30TBM

**JURY TRIAL DEMANDED
INJUNCTIVE RELIEF REQUESTED**

/

UNOPPOSED RESPONSE TO ORDER TO SHOW CAUSE

Plaintiff Dennis Hunt, pursuant to this Court's entered July 14, 2008 requiring him to show cause "why this action should not be dismissed for failure to file a Case Management Report pursuant to Local Rule 3.05," states:

1. On July 14, 2008, within twelve hours of the entry of the Order to Show Cause (Dkt 17), Plaintiff's counsel ensured that the Case Management Report (Dkt 18) was filed.
2. Immediately upon learning of the Order to Show Cause, Plaintiff's counsel prepared a proposed Case Management Report, forwarded it to Defendants' counsel and, after

exchanging thoughts and ideas and modifying it accordingly, filed it at 10:08 p.m. on July 14, 2008.

3. Plaintiff filed this action pro se on or about July 3, 2007. On July 6, 2007, the Notice of Designation Under Local Rule 3.05 (Dkt 3) was issued almost seven months before Plaintiff retained the undersigned on or about February 1, 2008. On February 26, 2008, this Court entered an Order (Dkt 8) adopting the Magistrate Judge's Report and Recommendation (Dkt 7) that Plaintiff's pro se Complaint be dismissed without prejudice. The February 26, 2008 Order required Plaintiff to file an Amended Complaint within 20 days.

4. On March 13, 2008, an Amended Complaint (Dkt 9) was filed. Many of the parties Plaintiff initially sued were not named as parties in the Amended Complaint. Thereafter, the Amended Complaint was served approximately April 1, 2008. Thereafter, two of the parties moved to dismiss (Dkt 12) and subsequently the third party answered (Dkt 16) the Amended Complaint.

5. The failure to file a Case Management Report was due to a miscommunication and misunderstanding on Plaintiff's counsel's part. The undersigned was unaware until the Order to Show Cause was entered that the Notice of Designation had been entered. The undersigned diligently resolved the oversight by filing a Case Management Report as soon as possible.

6. Defendant's counsel stated that I may represent that he does not oppose this response.

DATED this 14th day of July, 2008.

/s/ Ryan Christopher Rodems

RYAN CHRISTOPHER RODEMS, ESQUIRE

Florida Bar No. 947652

Attorney for Plaintiff

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CERTIFICATE OF SERVICE

I hereby certify that on July 14, 2008, I electronically filed the foregoing with the Clerk of the Court by using the CM/ECF system which will send a notice of electronic filing to the following: Stephen M. Todd, Esquire. I further certify that I mailed the foregoing document and the notice of electronic filing by first-class mail to the following non-CM/ECF participants: N/A.

/s/ Ryan Christopher Rodems

RYAN CHRISTOPHER RODEMS, ESQUIRE