

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

KENNETH SPINELLI, et al.,

Plaintiffs,

v.

Case No. 8:08-cv-132-T-33EAJ

CAPITAL ONE BANK and CAPITAL
ONE SERVICES, INC.,

Defendants.

_____ /

ORDER

Before the Court is the Joint Motion to Extend Scheduling Deadlines (the "Extension Motion" Doc. # 113), filed by the parties on October 22, 2009.

In the Extension Motion, the parties seek an extension of all Court deadlines contained within the Third Amended Case Management and Scheduling Order (Doc. # 95), which was filed on August 7, 2009. Specifically, the parties seek an Order extending all deadlines by 150 days from the date that this Court rules on the pending motion for reconsideration (Doc. # 104), which was filed on October 2, 2009.

The Court is concerned that, if the Extension Motion is granted, this case will not be tried within the time parameters of the Civil Justice Reform Act, 28 U.S.C. § 471, et seq. The Court notes that the parties have requested, and

have been granted, numerous extensions, some quite lengthy. See Doc. ## 4, 5, 11, 12, 58, 59, 60, 62, 63, 64, 90, and 91).

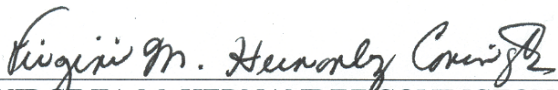
The Court will grant Extension Motion in part. The Court directs the Clerk to enter a Fourth Amended Case Management and Scheduling Order, extending all relevant deadlines by 60 days. No further extensions will be granted absent extraordinary circumstances.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

1. The Joint Motion to Extend Scheduling Deadlines (Doc. # 113) is **GRANTED IN PART**.
2. The Clerk is directed to issue a Fourth Amended Case Management and Scheduling Order that extends all deadlines by 60 days.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 26th day of October, 2009.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies to: All Counsel of Record