

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DR. THEODORE P. VLAHOS,
M.D. P.A.,

Plaintiff,

Case No. 8:09-cv-2007-T-33EAJ

v.

MARYLAND CASUALTY COMPANY,

Defendant.

ORDER

This matter is before the Court pursuant to Defendant's Unopposed Motion to Stay Proceedings Pending Completion of Mediation and Neutral Evaluation Pursuant to Florida Statute Section 627.7074 (the "Motion" Doc. # 5), which was filed on October 5, 2009.

Defendant seeks an order staying the proceedings pending completion of a mediation conference. Further, if the mediation is not successful, Defendant requests a stay pending a "neutral evaluation" pursuant to Florida Statute Section 627.7074(4).¹ Defendant did not supply the Court with

¹ Among other things, Florida Statute Section 627.7074 "Alternative Procedure for Resolution of Disputed Sinkhole Insurance Claims" provides: "neutral evaluation is nonbinding, but mandatory if requested by either party." Id. at § 627.7074(4). Furthermore, the statute provides, "Any court proceeding related to the subject matter of the neutral evaluation shall be stayed pending completion of the neutral evaluation." Id. at § 627.7074(11).

proposed dates for the mediation and neutral evaluation. In addition, Defendant did not supply the Court with the duration of the requested stay.

The Court encourages the parties to engage in alternative dispute resolution procedures as requested in the Motion. However, the Court is also charged with moving its cases along in a timely and efficient manner. The Court will stay this case for a limited duration so that the parties may engage in alternative dispute resolution procedures. Specifically, the Court will stay this case for a period of four months so that the parties may schedule and participate in a mediation conference as well as a neutral evaluation as specified in Florida Statute Section 627.7074.

Unless otherwise settled, the stay of this case will be lifted on February 8, 2010. So that the Court may be apprised of the status of the alternative dispute resolution procedures during the stay, the Defendant is directed to file on November 2, 2009, and every thirty days thereafter, a status report reflecting the status of the alternative dispute resolution proceedings.

Accordingly, it is hereby

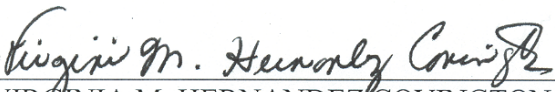
ORDERED, ADJUDGED, and DECREED:

(1) Defendant's Unopposed Motion to Stay Proceedings Pending

Completion of Mediation and Neutral Evaluation Pursuant to Florida Statute Section 627.7074 (Doc. # 5) is **GRANTED** to the extent that the case will be stayed until February 8, 2010.

- (2) The Defendant is directed to file on November 2, 2009, and every thirty days thereafter, a status report reflecting the status of the alternative dispute resolution proceedings.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 6th day of October, 2009.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE

Copies:

All Counsel of Record