

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

**TY BRUGGEMANN, et al.,**

**Plaintiffs,**

**v.**

**Case No. 8:09-cv-2562-T-30MAP**

**THE AMACORE GROUP, INC., et al.,**

**Defendants.**

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**ORDER**

THIS CAUSE comes before the Court upon The Amacore Group, Inc., Jay Shafer, and Jerry Katzman's Motion for Reconsideration or Extension of Time and Incorporated Memorandum of Law (Dkt. 49) and Plaintiffs' Brief in Opposition to same (Dkt. 52). The Court, having reviewed the motion, response, and being otherwise advised in the premises, concludes that the Motion for Reconsideration or Extension of Time should be granted to the extent that The Amacore Group, Inc., Jay Shafer, and Jerry Katzman are granted a ten (10) day extension to renew their motion to dismiss.

**BACKGROUND**

On June 8, 2009, Plaintiffs filed this action before the U.S. District Court for the District of New Jersey. On July 16, 2009, the moving Defendants filed a motion seeking dismissal of the complaint, or, in the alternative, the motion requested that the court transfer venue. On December 16, 2009, the court issued an Order granting the motion to the extent


that venue would be transferred to the Middle District of Florida. The court also denied the motion as “moot” to the extent that it sought dismissal of the complaint without prejudice to its being renewed after the case was transferred to this Court (Dkt. 40).

In the instant motion, the moving Defendants request that the Court reconsider the court’s Order that their motion to dismiss is “moot.” In the alternative, the moving Defendants request that the Court provide them ten (10) days to renew their motion to dismiss.

The Court concludes that it would be inappropriate under these facts to reconsider the prior court’s dismissal. Rather, the moving Defendants may renew their motion to dismiss for this Court’s review.

It is therefore ORDERED AND ADJUDGED that The Amacore Group, Inc., Jay Shafer, and Jerry Katzman’s Motion for Reconsideration or Extension of Time and Incorporated Memorandum of Law (Dkt. 49) is hereby GRANTED to the extent that they have ten (10) days from the date of this Order to renew their motion to dismiss.

**DONE** and **ORDERED** in Tampa, Florida on March 4, 2010.

  
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**JAMES S. MOODY, JR.**  
**UNITED STATES DISTRICT JUDGE**

**Copies furnished to:**  
Counsel/Parties of Record

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