

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

ETHEL CARGILL,

Plaintiff,

v.

CASE NO: 8:10-cv-807-T-26TGW

HARTFORD INSURANCE COMPANY
OF THE MIDWEST,

Defendant.

ORDER

Upon due consideration, it is ordered and adjudged that Plaintiff's Motion for Remand (Dkt. 9) is denied without prejudice for failure to comply with the requirements of Local Rule 3.01(g). Counsel for the parties shall confer *personally* on or before April 23, 2010, in a good faith effort to resolve the issue raised by the motion without court intervention. In the event counsel cannot agree and Plaintiff refiles the motion, Defendant shall file its response within the time fixed by Local Rule 3.01(b). In the response, Defendant's counsel shall address the issue of why he waited more than thirty (30) days to remove the case after service on Defendant,¹ which counsel acknowledges in the Notice of Removal was on February 2, 2010, when Defendant was on notice that the amount in controversy was in excess of \$75,000.00 even prior to Plaintiff filing her lawsuit in state court, which counsel also acknowledges in the Notice of Removal.

DONE AND ORDERED at Tampa, Florida, on April 21, 2010.

s/Richard A. Lazzara

RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:
Counsel of Record

¹ See 28 U.S.C. § 1446(b).