

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

GAMESTREAMER, INC.,

Plaintiff,

v.

CASE NO: 8:10-cv-1201-T-26EAJ

TIMOTHY M. ROBERTS and  
TERRANCE F. TAYLOR,

Defendants.

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**ORDER**

Upon due consideration, it is ordered and adjudged that Defendants' Verified Amended Motion to Strike Plaintiffs (sic) Pleadings or in the Alternative to Dismiss the Complaint (Dkt. 105) is denied. In the Court's view, the motion is nothing more than a disguised motion for summary judgment which does not comply with the provisions of paragraph 6(b) of the Court's Case Management and Scheduling Order entered October 6, 2010, at docket 78, and is, therefore, subject to being stricken pursuant to paragraph 6(g) of that order. Defendants may raise the same issues in a properly filed motion for summary judgment after the completion of discovery.

**DONE AND ORDERED** at Tampa, Florida, on January 6, 2011.

*s/Richard A. Lazzara*

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**RICHARD A. LAZZARA**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of Record