

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

REGIONS BANK, etc.,

Plaintiff,

v.

CASE NO. 8:12-CV-1837-T-17MAP

MARVIN I. KAPLAN, etc.,
et al.,

Defendants.

_____ /

ORDER

This cause is before the Court sua sponte. The Court conducted a bench trial from May 2, 2016 to May 27, 2016. The Court scheduled additional proceedings on Friday July 8, 2016 and Friday, July 15, 2016 for additional testimony as to punitive damages.

On May 12, 2016, the Court granted in part and denied in part Plaintiff's Third Motion to Compel Financial Worth Discovery (Dkt. 738). Defendants submitted documents relating to payments from Defendants R1A, TNE and BNK to Kathryn Kaplan for the Court's in camera review. On May 24, 2016, the Court deferred ruling.

On May 24, 2016, the Court heard argument as to further discovery on punitive damages issues. Plaintiff Regions indicated that Plaintiff Regions was obtaining appraisals as to real estate transactions, and that the two days of further testimony would be focused on those real estate transactions. Plaintiff Regions requested tailored discovery; Plaintiff Regions was not certain as to the need for an accounting expert, based on the evidence at that time. Defendants suggested that the Court order expert disclosures and set deadlines for expert reports. Plaintiff Regions suggested

Case No. 8:12-CV-1837-T-17MAP

that the Court dispense with expert reports and limit its consideration to the appraisals. The Court directed Plaintiff Regions to turn over the appraisals as they were obtained.

The Court indicated that the Court would issue an order to provide further guidance to the Parties as to punitive damages discovery before returning to Court for the two days of additional testimony on punitive damages issues.

The Court has considered the pending claims and the totality of the circumstances surrounding those claims. After consideration, the Court intends to make the initial determination as to liability and the award of compensatory damages before taking further testimony as to punitive damages. The Court is therefore **cancelling the scheduled continuation of the bench trial on Friday, July 8, 2016 and Friday, July 15, 2016.** Accordingly, it is

ORDERED that the **scheduled continuation of the bench trial on Friday, July 8, 2016 and Friday, July 15, 2016 is cancelled**; the Court will defer ruling on all punitive damage issues until a final determination as to liability and the award of compensatory damages.

DONE and ORDERED in Chambers in Tampa, Florida on this 24th day of June, 2016.



ELIZABETH A. KOVACHEVICH
United States District Judge

Copies to:
All parties and counsel of record