

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

MARK A. FREEMAN, as Personal
Representative of the estate of Charles
F. Freeman, Jr., and MARK A. FREEMAN,

Plaintiffs

v.

CASE NO: 8:13-cv-338-T-26MAP

U.S. BANK, N.A., as Trustee of the Margaret
Freeman Trust f/b/o Charles F. Freeman, Jr.,
LANCE BROWN, AUSTIN BARNEY, III,
and AMANDA BARNEY,

Defendants.

ORDER

Upon due and careful consideration of the procedural history of this case, it is ordered and adjudged that Defendants' Emergency Motion for Reconsideration and Alternative Emergency Motion to Certify (Dkt. 44) is denied. In the Court's view, there is nothing more to reconsider nor is there a need to certify the Court's determination of Defendants' motions to dismiss for an interlocutory appeal. Finally, Counsel is cautioned with regard to designating a motion as an emergency motion when no emergency exists, as in this case. See Local Rule 3.01(e) (stating in pertinent part that "[t]he unwarranted designation of a motion as an emergency motion may result in the imposition of sanctions.").

DONE AND ORDERED at Tampa, Florida, on August 7, 2013.

s/Richard A. Lazzara
RICHARD A. LAZZARA
UNITED STATES DISTRICT JUDGE

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Counsel of Record