

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

ALBANY PLACE CONDOMINIUM
ASSOCIATION OF TAMPA, INC.,

Plaintiff,

v.

Case No: 8:14-cv-2906-T-30MAP

ALTERRA EXCESS & SURPLUS
LINES INSURANCE COMPANY,

Defendant.

ORDER


THIS CAUSE comes before the Court upon the parties' Joint Response to December 30, 2014 Order and Stipulation to Abate Bad Faith Counts III & IV (Dkt. 11).

Upon review and consideration, it is therefore

ORDERED AND ADJUDGED that:

1. The parties' Stipulation to Abate Bad Faith Counts III & IV (Dkt. 11) is GRANTED.
2. Counts III & IV of the Complaint is hereby ABATED pending the determination of the underlying contract claim.
3. Defendant, Alterra Excess & Surplus Insurance Company's Motion to Dismiss or Abate Counts III and IV of the Complaint with Supporting Memorandum of Law (Dkt. 9) is denied as moot.

DONE and **ORDERED** in Tampa, Florida, this 7th day of January, 2015.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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