

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

ADAM R WHITE and
JAMES NEWELL WHITE, III,

Plaintiffs,

v.

CASE NO. 8:14-cv-2975-T-26MAP

GRANT MASON HOLDINGS, INC., *et al.*,

Defendants.

_____ /

ORDER

UPON DUE AND CAREFUL CONSIDERATION of the well-pleaded allegations of the Plaintiffs’ complaint, which this Court must accept as true at this juncture of the proceedings, together with the parties’ written submissions, it is **ORDERED AND ADJUDGED** that the Motion to Dismiss the Second Amended Complaint (Dkt. 50) is denied. As the Eleventh Circuit Court of Appeals has observed, “[t]he fact that the defendants are accused collectively does not render the complaint deficient. The complaint can be fairly read to aver that all defendants are responsible for the alleged conduct.” Kyle K. v. Chapman, 208 F.3d 940, 944 (11th Cir. 2000). The Defendants filing this motion shall file their answer and defenses to the second amended complaint within fourteen (14) days of this order.

DONE AND ORDERED at Tampa, Florida, on October 16, 2015.

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

COPIES FURNISHED TO:
Counsel of Record