

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

WILLIAMS HOLDING CORPORATION,

Plaintiff,

v.

Case No: 8:15-cv-180-T-30TGW

VI-TEL WIRELESS, LLC, JAMES
PEARSON, LARRY A. ROGERS and
L. SCOTT ROGERS,

Defendants.

ORDER

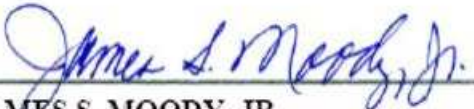
THIS CAUSE comes before the Court upon Defendant L. Scott Roger's Motion to Dismiss Count VII of Plaintiff's Complaint (Dkt. #5). Upon review of Defendant's motion, the Court concludes that it should be granted for the reasons stated therein. Specifically, as Defendant points out, Count VII is a purported cause of action for recovery of attorney's fees with no substantive allegations supporting a breach of the underlying agreements. Such a claim is inappropriate because the law does not recognize an independent claim for attorney's fees. As such, Count VII is dismissed and construed as a request for attorney's fees under the underlying causes of action. Accordingly, it is

ORDERED AND ADJUDGED that:

1. Defendant L. Scott Roger's Motion to Dismiss Count VII of Plaintiff's Complaint (Dkt. #5) is GRANTED.

2. Count VII of Plaintiff's Complaint is dismissed and construed as a request for attorney's fees under the relevant causes of action.

DONE and **ORDERED** in Tampa, Florida, this 10th day of March, 2015.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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