

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

CENTENNIAL BANK,

Plaintiff,

v.

Case No: 8:16-cv-88-T-36JSS

SERVISFIRST BANK INC., GREGORY
W. BRYANT, GWYNN DAVEY,
PATRICK MURRIN, and JONATHAN
ZUNZ,

Defendants.

ORDER

THIS MATTER is before the Court on the Motion to Stay By Non-Parties Gwynn Davey and Patrick Murrin (“Motion”) (Dkt. 177), filed by Gwynn Davey and Patrick Murrin (“ServisFirst Employees”), and Plaintiff’s response in opposition (Dkt. 180). The ServisFirst Employees seek a stay of their production of indemnification agreements the ServisFirst Employees were ordered to produce “until it is determined whether [the ServisFirst Employees] will become parties to this action.” (Dkts. 165, 177.)

At the time the Motion was filed, the ServisFirst Employees were not parties to this action, but Plaintiff sought leave to file a second amended complaint that would name the ServisFirst Employees as defendants. (Dkt. 149.) Since the filing of the Motion, the Court entered an order granting the Defendants’ motions to dismiss the amended complaint without prejudice to Plaintiff to file a second amended complaint and denied as moot Plaintiff’s motion for leave to file a second amended complaint in light of the dismissal without prejudice. (Dkts. 193–196, 198.)

Plaintiff has filed its second amended complaint, naming the ServisFirst Employees as defendants. (Dkt. 199.) Therefore, the Court resolved Plaintiff’s motion to amend its complaint

(Dkt. 194), and Plaintiff has named the ServisFirst Employees as defendants in this action (Dkt. 199). As such, the relief sought in the Motion is moot. Accordingly, it is

ORDERED that the Motion to Stay By Non-Parties Gwynn Davey and Patrick Murrin (Dkt. 177), is **DENIED** as moot.

DONE and ORDERED, in Tampa, Florida, on November 16, 2016.



JULIE S. SNEED
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:
Counsel of Record