

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

MARIO PIERLUCA and
MARCUS HOLMES,

Plaintiffs,

v.

Case No: 8:16-cv-1580-T-30AEP

QUALITY RESOURCES, INC.,

Defendant.


ORDER

THIS CAUSE comes before the Court upon Plaintiff's Motion for Partial Summary Judgment (Dkt. #52) and Defendant's Response (Dkt. #58). Defendant's Response acknowledges that summary judgment as to liability only is appropriate due to a "wholly technical, unintentional and good faith non-compliance with the WARN Act." Whether Defendant acted in good faith is an issue for damages, which is not the subject of the pending motion for summary judgment. Accordingly, it is

ORDERED AND ADJUDGED that:

1. Plaintiff's Motion for Partial Summary Judgment (Dkt. #52) is GRANTED.
2. Pre-Trial Conference remains scheduled on Wednesday, September 13, 2017, with a bench trial on damages to occur in December 2017. If the parties wish to try the issue of damages before the Magistrate Judge, which could result in an earlier trial date, they should complete the Magistrate Consent Form.

DONE and **ORDERED** in Tampa, Florida, this 22nd day of May, 2017.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record