

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

**PEOPLE FOR THE ETHICAL
TREATMENT OF ANIMALS, INC.,**

Plaintiff,

v.

Case No: 8:16-cv-2899-T-36AAS

**DADE CITY’S WILD THINGS, INC.,
STEARNS ZOOLOGICAL RESCUE &
REHAB CENTER, INC., KATHRYN P.
STEARNS and RANDALL E. STEARNS,**

Defendants.

ORDER

The deadline for Dade City’s Wild Things, Inc. and Stearns Zoological Rescue & Rehab Center, Inc. (the “DCWT corporations”) to file notices of appearance of new counsel was February 9, 2018. (Doc. 185). The DCWT corporations have known since at least January 3, 2018,¹ that they need to obtain new counsel—their third set of counsel since the DCWT corporations were served with this suit. (Doc. 173). Rather than file a notice of appearance by the February 9th deadline, Kathryn Stearns (on behalf of Stearns Zoological Rescue & Rehab Center, Inc.) instead seeks a thirty-day extension of the deadline. (Doc. 197). In the motion, Ms. Stearns indicates that she has contacted “over 100 attorneys and met with several” and attaches correspondence from two attorneys. (*Id.*). Both letters are dated February 9, 2018—the deadline to obtain counsel.

¹ In addition to prior counsel indicating that the DCWT corporations have been on notice since January 3, 2018, Kathryn Stearns confirmed the notice during the January 25, 2018 hearing on counsel’s motion to withdraw. (*See* Doc. 188, p. 53).

(*Id.*). One attorney's letter indicates that he will be meeting Ms. Stearns on Tuesday, February 13, 2018, after an initial discussion that occurred on February 9, 2018.

This is the third time that the DCWT corporations have sought counsel in this case, and the second time that the DCWT corporations have sought counsel after their prior counsel have moved for permission to withdraw. (Docs. 90, 173). Each time, but especially this last time, the DCWT corporations were repeatedly warned that changing counsel will not result in the extension of any deadlines or any other delay.

Important dates and deadlines are rapidly approaching. There is an evidentiary hearing scheduled in this matter on February 21, 2018 (and continuing to February 22, 2018, if necessary). (Doc. 185). In preparation for this hearing, the parties must file hearing statements by February 16, 2018.² (*Id.*).

Accordingly, it is **ORDERED**:

(1) The Motion for Enlargement of Time (Doc. 197) is **GRANTED in part AND DENIED in part**. The DCWT corporations are granted an extension until **noon on February 14, 2018**, to obtain new counsel. **All scheduled hearing dates and deadlines remain in effect and will not be extended.**

(2) Plaintiff People for the Ethical Treatment of Animals, Inc.'s Application for Entry of Default by the Clerk Against Corporate Defendants Dade City Wild Things, Inc. and Stearns Zoological Rescue and Rehab Center, Inc. (Doc. 196) is **DENIED without prejudice** to filing the motion after the February 14, 2018 deadline.

² The motions that are the subject of the evidentiary hearing were filed in July and September, 2017. (Docs. 76, 97). A hearing on these motions has been repeatedly delayed due to the termination and withdrawal of the defendants' two previous sets of attorneys, among other issues. (Docs. 92, 159, 185).

ORDERED in Tampa, Florida on this 12th day of February, 2018.

Amanda Arnold Sansone

AMANDA ARNOLD SANSONE
United States Magistrate Judge

Copy to:

Kathryn P. Stearns
Randall E. Stearns
Kenneth Stearns