

**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. D/B/A DADE
CITY'S WILD THINGS, KATHRYN P.
STEARNS, AND RANDALL E. STEARNS,**

Defendants.

ORDER

Before the Court is Plaintiff People for the Ethical Treatment of Animals, Inc.'s Motion to Compel Entry Upon Land and Site Inspection (Doc. 56) and Defendants' counsel's Motion to Withdraw as Counsel (Doc. 57).¹ A hearing was held on June 12, 2017, and the Court and the parties addressed each of these motions at that hearing.

For the reasons stated at the hearing, it is **ORDERED** that:

(1) Plaintiff's Motion to Compel Entry Upon Land and Site Inspection (Doc. 56) is **GRANTED** pursuant to Federal Rules of Civil Procedure 26(b)(1) and 34(a)(2). Unless otherwise agreed to by the parties, the site inspection of Stearns Zoological Rescue & Rehab Center, Inc. d/b/a Dade City's Wild Things shall occur during normal business hours on July 20, 2017. Each

¹ Plaintiff filed a response to Defendants' Motion, stating that it does not object to the withdrawal of counsel but opposes a delay in the scheduled site inspection. (Doc. 58).

party shall bear their own attorneys' fees and costs incurred in relation to this motion. *See* Fed. R. Civ. P. 37(a)(5)(A)(iii).

(2) Defendants' counsel's Motion to Withdraw as Counsel (Doc. 57) is **DENIED without prejudice** pursuant to Local Rule 2.03(c), Middle District of Florida. Defendants' counsel may file a renewed motion to withdraw after the site inspection occurs on July 20, 2017. If at any time prior to the completion of the site inspection on July 20, 2017, Defendants obtain new counsel, then a motion to substitute counsel may be filed and considered by the Court. However, such motion will not be cause for delay to the scheduled site inspection.

(3) Plaintiff's Motion to Compel Defendant to Produce Documents and Better Answers to Plaintiff's First Requests for Production of Documents and Interrogatories (Doc. 39) is **TAKEN UNDER ADVISEMENT** pending complete resolution of Defendants' counsel's impending motion for withdrawal or substitution of counsel.

DONE AND ORDERED in Tampa, Florida on this 12th day of July, 2017.



AMANDA ARNOLD SANSONE
United States Magistrate Judge