

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

**DARRELL ARCHER,**

**Plaintiff,**

v.

**Case No.: 8:16-cv-3067-T-36AAS**

**CITY OF WINTER HAVEN, et al.,**

**Defendants.**

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**ORDER**

This matter is before the Court on Plaintiff's Motion to Attend Meeting Pursuant to Local Rule 3.05(c)(2)(B) via Telephone (Doc. 54), and Defendants' responses thereto (Docs. 59, 60, 61).

According to the Motion, Plaintiff Darrell Archer is unable to appear in person at the case management conference because he currently<sup>1</sup> resides out of state. Plaintiff states that he is fully prepared to participate via telephone at a time convenient for defense counsel.

Defendants Walmart Inc. and Kristine Wood object to Plaintiff's request to appear via telephone because, as the plaintiff, he will be expected to appear in person throughout the course of this litigation.<sup>2</sup> The Court agrees that Plaintiff will be expected to appear in person for various events, including hearings, throughout this litigation. As to the case management conference, however, no party will suffer any prejudice if it is conducted via telephone.

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<sup>1</sup> Plaintiff asserts that he will be returning to his Florida residence on June 20, 2017.

<sup>2</sup> Identical responses were filed on behalf of Defendant Walmart Inc. and Defendant Kristine Wood. (*See* Docs. 60, 61). In the future, should Defendant Wood—or any party for that matter—wish to file papers identical to that of another party, a joint filing or the adoption of the other party's filing would be more appropriate.

Accordingly, it is **ORDERED** that:

Plaintiff's Motion to Attend Meeting Pursuant to Local Rule 3.05(c)(2)(B) via Telephone (Doc. 54) is **GRANTED**. All parties may attend the case management conference via telephone, which shall be conducted as soon as possible.<sup>3</sup>

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



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AMANDA ARNOLD SANSONE  
United States Magistrate Judge

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<sup>3</sup> The parties are reminded that the deadline for conducting the case management conference has already passed. *See* Local Rule 3.05(c)(2)(B), M.D. Fla.