UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ANGELA LYNN MARTIN,
on behalf of herself and all
others similarly situated,

Plaintiff,

v. Case No.: 8:17-cv-1042 T-24 AAS

SCOTTRADE, INC.,

Defendant.
_____/

ORDER

This cause comes before the Court on Plaintiff Angela Martin's Motion to Strike Portions of Defendant Scottrade Inc.'s ("Scottrade") Response to Martin's Motion to Remand (Doc. 23) and Scottrade's response thereto (Doc. 24). Upon review, this Motion is **DENIED**.

After Scottrade removed this case from state court, Martin moved to remand. (Docs. 1, 8). In Scottrade's response to the motion to remand, Scottrade requested affirmative relief, including a stay of this action pending the Eighth Circuit Court of Appeals' decision in a related case, *Matthew Kuhns v. Scottrade, Inc.*, case number 16-3542. (Doc. 22). Martin moves to strike these requests for affirmative relief, arguing that they are improper under Federal Rule of Civil Procedure 7 and Local Rule 3.01. (Doc. 23).

While Martin's point is well taken, in the interest of judicial economy and given the procedural history of this case, the Court concludes that the Motion to Strike should be denied. Instead, the Court directs Martin to file a reply to Scottrade's response to the motion to remand which addresses only Scottrade's request to stay this action pending the decision of the Eighth Circuit in *Kuhns*. This reply shall be no longer than seven pages and shall be filed by July 17,

2017. Accordingly, it is hereby ORDERED AND ADJUDGED that Martin's Motion to Strike is **DENIED**.

DONE AND ORDERED at Tampa, Florida, this 10th day of July, 2017.

SUSAN C. BUCKLEW
United States District Judge

Copies to:
Counsel of Record