

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

ROLAND A. ROSELLO, d/b/a  
ROLAND A. ROSELLO, P.L.,

Plaintiff,

v.

CASE NO. 8:17-cv-1884-T-26TBM

TOWER IMAGING, INC., f/k/a TOWER  
IMAGING, INC., d/b/a COMMUNITY  
DIAGNOSTIC CENTER OF BRANDON, and  
MERCHANTS ASSOCIATION  
COLLECTIONS DIVISION, INC.,

Defendants.

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**ORDER**

**UPON DUE AND CAREFUL CONSIDERATION** of the well-pleaded allegations of Plaintiff's second amended complaint, which this Court must accept as true at this early juncture of the proceedings and must construe in the light most favorable to Plaintiff,<sup>1</sup> it is **ORDERED AND ADJUDGED** that Defendants' Motions to Dismiss Plaintiff's Second Amended Complaint or Alternative Motions for More Definite Statement (Dkts. 26 & 27) are **denied**. In the Court's view, those allegations state claims

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<sup>1</sup> See Bishop v. Ross Earle & Bonan, P.A., 817 F. 3d 1268, 1270 (11<sup>th</sup> Cir. 2016).

for relief plausible on their face against both Defendants for violating the federal Fair Debt Collections Practice Act and the Florida Consumer Collection Practices Act.<sup>2</sup> Defendants shall file their answer and defenses to Plaintiff's second amended complaint within **fourteen (14) days** of this order.

**DONE AND ORDERED** at Tampa, Florida, on October 12, 2017.

*s/Richard A. Lazzara*  
**RICHARD A. LAZZARA**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of Record

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<sup>2</sup> See id.