

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

WILLIAM LAWRENCE,

Plaintiff,

v.

Case No. 8:18-cv-738-T-24 TGW

ACE AMERICAN INSURANCE  
COMPANY,

Defendant.

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USAA CASUALTY INSURANCE  
COMPANY, individually and as equitable  
and contractual subrogee of Benjamin  
Wintersteen,

Intervenor,

v.

ACE AMERICAN INSURANCE  
COMPANY,

Intervenor-Defendant.

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**ORDER**

This cause comes before the Court on its own. A hearing was held in this case on July 18, 2018. At the hearing, the Court discussed with the parties the need for all of the parties to agree on the operative insurance policy at issue in this case. Lawrence and USAA also expressed a desire to each amend their complaints after the operative insurance policy is agreed upon.

Accordingly, the Court orders the following:

- (1) By August 1, 2018, ACE is directed to file a certified copy of the insurance policy that was in effect on August 12, 2014—the date of the accident at issue in this case.

- (2) By August 8, 2018, USAA and Lawrence are directed to each file a notice informing the Court either that: (a) they agree that the certified insurance policy filed by ACE is the operative insurance policy at issue in this case; or (b) they object to the certified insurance policy filed by ACE as being the operative insurance policy and the basis for their objection.
- (3) If there are no objections by August 8, 2018 to the certified insurance policy filed by ACE, then Lawrence and USAA are directed to file amended complaints based on the agreed upon insurance policy. They do not need to attach the entire certified policy to their amended complaints; they can simply identify the document number and incorporate the entire insurance policy by reference. However, Lawrence and USAA should attach the relevant portions of the actual insurance policy as an exhibit to their amended complaints.
- (4) If there are any objections to the certified insurance policy filed by ACE, the Court will issue an order resolving those objections and set a date of seven days after the order for Lawrence and USAA to file their amended complaints.
- (5) The Court **GRANTS** Lawrence's Motion to Amend the Complaint (Doc. No. 42).
- (6) The Court **TERMINATES** ACE's Motions to Dismiss (Doc. No. 20, 49). ACE may file motions to dismiss after the amended complaints are filed by Lawrence and USAA.

**DONE AND ORDERED** at Tampa, Florida, this 18th day of July, 2018.

  
SUSAN C. BUCKLEW  
United States District Judge

Copies to:  
Counsel of Record