

IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION

DONNA L. ISLER,

Plaintiff,

v.

CASE NO. 1:10-cv-00178-MP -GRJ

BANKERS LIFE AND CASUALTY COMPANY,

Defendant.

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ORDER

This matter is before the Court on Doc. 11, First Motion to Remand to State Court by Donna L. Isler. A hearing was held today, November 23, 2010 at 1:00 p.m., to receive argument on Plaintiff's Motion to Remand. The Clerk noticed the parties of the hearing, Doc. 14, on November 16, 2010. Ms. Ann Taylor, counsel for Defendant, attended the 1:00 p.m. hearing, having taken a 5:30 a.m. flight from Birmingham, Alabama for that purpose. Mr. Bauer, counsel for Plaintiff whose office is here in Gainesville, failed to appear. The Clerk contacted Mr. Bauer's office, which was also unable to locate him.

Ms. Taylor has spent time and accrued certain expenses to prepare for today's hearing and to travel to attend. At the next hearing to be held to argue Plaintiff's Motion to Remand to State Court, this Court will also consider those fees and expenses expended by Ms. Taylor and whether they should be reimbursed by Mr. Bauer as a sanction for his failure to appear as ordered. Accordingly, it is

ORDERED AND ADJUDGED:

1. Ms. Taylor is directed to file, no later than Monday, November 29, 2010, an affidavit accounting for her hourly rate, time spent preparing for and traveling to

attend the November 23, 2010 hearing, and any expenses accrued preparing for or attending that hearing.

2. The Clerk is directed to re-set the hearing on Doc. 11, First Motion to Remand to State Court, for Wednesday, December 15, 2010, at 1:00 p.m.
3. If Mr. Bauer should wish to contest any of Ms. Taylor's expenses, hours spent preparing and traveling to the November 23, 2010 hearing, hourly rate, or her entitlement thereto, he is directed to do so in writing by close of business Monday, December 13, 2010.

DONE AND ORDERED this 23rd day of November, 2010

s/Maurice M. Paul

Maurice M. Paul, Senior District Judge