

**IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION**

LANDMARK AMERICAN INSURANCE  
COMPANY,

Plaintiff/Counter-Defendant,

ARCH INSURANCE GROUP,

Intervenor/Plaintiff/Counter-Defendant,

v.

Case No. 3:05cv401/LAC

MOULTON PROPERTIES, INC.,  
MOULTON BROTHERS, INC., and  
THE MOULTON TRUST,,

Defendant/Counter-Plaintiffs,  
\_\_\_\_\_ /

**ORDER**

Before the Court is a Joint Motion to Strike (Doc. 477) filed by Plaintiff/Counter-Defendant Landmark American Insurance Company (“Landmark”) and Intervenor/Plaintiff/Counter-Defendant Arch Specialty Insurance Company (“Arch”). The Moultons state that neither their opposition nor their objections to the statements of facts (Docs. 462 and 463) represented an overt attempt to thwart the parameters of the Local Rules, and the

Court's own perusal confirms that this appears to be the case. The Court also notes that movants have addressed the admissibility issues in their responses to the motion in limine (Docs. 481-481).

In evaluating the summary judgment motions, the Court will generally confine its analysis of the issues on summary judgment to the memoranda, its analysis of the admissibility of the evidence to the motion in limine and responses thereto, and its determinations of issues of fact to the statements of facts.

Accordingly, it is hereby **ORDERED**:

1. The Joint Motion to Strike (Doc. 477) is **DENIED**.

**ORDERED** on this 20th day of January, 2009.

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*s/L.A. Collier*  
Lacey A. Collier  
Senior United States District Judge