

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

VENEZIA RESORT, LLC, a
Mississippi Limited Liability Company,

Cross-Plaintiff/Third-Party Plaintiff,

vs.

CASE NO.: 3:07cv74/MCR/EMT

BENARD FAVRET
a/k/a BERNARD FAVRET
and F & F DEVELOPERS, LLC,

Cross-Defendants.

ORDER

This matter originated in the Circuit Court in and for Escambia County, Florida, as an interpleader action styled Bank of Pensacola vs. Venezia Resort, LLC, a Mississippi Limited Liability Company, Benard Favret a/k/a Bernard Favret, David T. Clark, William E. Wulfers, and F & F Developers, LLC. In that state court action, Venezia Resort, LLC, filed a cross-complaint against Benard Favret a/k/a Bernard Favret, and F & F Developers, Inc., as well as a third-party complaint against Singletary & Thrash-Jackson, P.A., a Mississippi Professional Association, and Gary D. Thrash, a Mississippi resident. Cross-Defendants removed the case to this court following the voluntary dismissal of the original interpleader complaint. (See doc. 2). Cross-Defendants have now filed a memorandum in support of motion to stay proceedings (doc. 8), as well as statements of conference with counsel pursuant to Local Rule 7.1B (docs. 5, 6) with regard to the motion to stay proceedings and motion to dismiss which were apparently filed in the state court action. The matter has been referred to the undersigned upon these recent filings.

Though the state court record has been filed in this action, due to the manner in which it was filed,¹ the record is cumbersome and the pending matters before this court are unclear on the docket. Before the court rules on any matters in this action, the parties shall be required to re-file any motions pending for this court's consideration. The opposing party shall then be allowed fourteen (14) days to file any response to the re-filed motions. Accordingly, it is

ORDERED:

1. The parties shall re-file in this action any motions pending for this court's consideration within fourteen (14) days of the date of this order.
2. The opposing party shall be allowed fourteen (14) days to file any response to re-filed motions.

DONE and ORDERED this 27th day of February, 2007.

s/ M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE

¹ The state court record was filed as attachments to the Notice of Removal. (See doc. 2, attachments 2 and 3). Rather than attaching each pleading as a separate document, the 194 page record was filed as a combined document in two attached files.