

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

BRENDA LOWERY, et al.,

Plaintiffs,

vs.

CASE NO.: 3:08cv186/MCR/EMT

CASH'S CABANAS, INC., et al.,

Defendants.

ORDER

This matter is before the court on defendant's Motion for Reconsideration of the court's order of September 28, 2009. (Doc. 148). Upon review, the court notes that although this case was filed with the court on May 7, 2008, the Initial Scheduling Order was not entered until June 16, 2009, due to activity on various motions and class certification matters. This unusual procedural delay was not taken into account when the court considered plaintiff's Notice of Objection. In further consideration, though defendant's attorney fee records were not filed consistent with the requirements of Local Rule 54.1(b)(2), the records were filed in accordance with the provisions of the court's Initial Scheduling Order.

Accordingly, it is ORDERED that defendant's Motion for Reconsideration (doc. 148) is GRANTED. Upon reconsideration, the court finds defendant's attorney fee records at document entries 114, 115, 116, 117, 118, 119, 120, 121, 122, 123, 124, 125, 126, 127, 128, 129, 130, and 131 are timely filed. The clerk is directed to edit the affected docket entry notations accordingly.

DONE and ORDERED this 2nd day of October, 2009.

sl M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**