

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION

ERIC STRONG

VS

CASE NO. 3:08cv402 MCR/MD

BREVARD ACHIEVEMENT CENTER, INC.

REFERRAL AND ORDER

Referred to Magistrate Judge Davis on September 9, 2009

Type of Motion/Pleading: MOTION TO STRIKE PLAINTIFF'S "RESPOND TO DISMISSAL MOTION" AS A SHAM

Filed by: Defendant on 9/9/09 Document 45

() Stipulated/Consented/Joint Pleading

RESPONSES:

_____ on _____ Doc.# _____
_____ on _____ Doc.# _____

WILLIAM M. McCOOL, CLERK OF COURT

/s/ Lynn C. Uhl
Deputy Clerk: Lynn Uhl

ORDER

Upon consideration of the foregoing, it is ORDERED this 10th day of September, 2009, that:

- (a) The requested relief is DENIED without prejudice.
- (b) The motion is not accompanied by a memorandum, N.D. Fla. Loc. R. 7.1(A), and fails to provide citation to authorities in support of the motion. The court will, however, consider the arguments and supporting affidavits presented in the motion when ruling on defendant's second motion for sanctions.

/s/ Miles Davis

MILES DAVIS
UNITED STATES MAGISTRATE JUDGE