

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

KATHLEEN SULLIVAN,

Plaintiff,

v.

Case No. 3:08cv486/LAC

PAUL NEE d/b/a EPAYMENT CONSULTANTS
and EPAYMENT CONSULTANTS, LLC,

Defendants.

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ORDER AND NOTICE

Plaintiff's motion for partial summary judgment (Doc. 57) and Defendant Epayment Consultants, LLC's motion for summary judgment (Doc. 61) will be taken under advisement by the Court on June 23, 2009. Because the Court does not contemplate scheduling a hearing on the motions, the parties are directed to file and serve responsive memoranda, affidavits, and any other documents or materials authorized to be filed under the Federal Rules of Civil Procedure before the above date. Only those pleadings and evidentiary materials currently in the record or filed prior to the above date will be considered by the Court in ruling on the motions.

A motion for summary judgment may result in a final judgment being entered for the moving party as to the claims raised in the motion if the pleadings, depositions, answers to interrogatories, admissions, affidavits, and any other appropriate evidentiary materials filed in the record show that there is no genuine issue as to any material fact and that the moving party is entitled to judgment as a matter of law. *See* FED. R. CIV. P. 56.

ORDERED on this 1st day of June, 2009.

s/L.A. Collier

Lacey A. Collier
Senior United States District Judge