

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

**ANTHONY R. SMITH,**

**Plaintiff,**

**v.**

**CASE NO. 3:12-cv-581-MW/CJK**

**Bellsouth Telecommunications,  
Inc., a/k/a AT&T,**

**Defendant.**

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**ORDER ON DEFENDANT'S REPLY**

This Court has received Defendant Bellsouth Telecommunications, LLC's ("Defendant") Reply in Support of Motion for Summary Judgment, ECF No. 38, indicating that no affidavit was attached to Plaintiff Anthony R. Smith's ("Plaintiff") Notice of Filing Affidavit in Opposition to Summary Judgment, ECF No. 37. In light of Plaintiff's subsequent filing of the affidavit, ECF No. 39, Defendant shall either inform this Court within 24 hours if it does not wish to file another reply or shall file a reply within 7 days of the date of this Order.

**SO ORDERED on January 22, 2014.**

**s/Mark E. Walker  
United States District Judge**