

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

HOME DESIGN SERVICES INC.,

Plaintiff,

vs.

4:08-CV-355-SPM/WCS

TURNER HERITAGE HOMES INC, et al.,

Defendants.

ORDER

THIS CAUSE comes before the Court upon Plaintiff's Motion to Supplement Its Response in Opposition to the Defendants' Motion for Summary Judgment (doc. 206) and the Defendants' Response in Opposition thereto (doc. 210). As the Defendants' Motion for Summary Judgment was denied without consideration of Plaintiff's proposed supplementary evidence, the Motion (doc. 206) is DENIED AS MOOT. However, this Order will not prejudice the Defendants' opportunity to file a motion requesting additional discovery or depositions regarding such evidence, to the extent that Plaintiff seeks to raise the evidence at trial.

DONE AND ORDERED this fourth day of August, 2010.

s/ Stephan P. Mickle

Stephan P. Mickle
Chief United States District Judge