

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

MICHAEL J. LOEBER,

Plaintiff,

vs.

CASE NO. 5:09cv402/RS-MD

LARRY CAMPBELL, in his official capacity
as Sheriff of Leon County, Florida; and
PRISON HEALTH SERVICES, INC.,

Defendants.

LARRY CAMPBELL, in his official capacity
as Sheriff of Leon County,

Counter-Claimant,

vs.

MICHAEL J. LOEBER,

Counter-Defendant.

/

ORDER

Before me is Defendants’ Notice of Conflict (Doc. 67). Consideration of this notice is deferred until Defendants’ counsel provides an explanation of how and why the alleged scheduling conflict arose. This case was scheduled for trial by the Scheduling and Mediation Order (Doc. 63) filed on December 2, 2010. The parties’ joint report filed on December 1, 2010 (Doc. 60), stated, “Moreover, counsel for Defendant Sheriff PRESENTLY *is likely to have trials* scheduled for March, April, May, June and July 2011.” Three months have passed without

any notice, until now, from Defendants' attorney that a scheduling conflict existed for the July 25, 2011, trial date.

Not later than March 8, 2011, Defendants' attorney shall provide a full explanation of how and when his state court conflict arose and shall explain why that schedule conflict was not promptly reported to this court prior to the issuance of the Scheduling and Mediation Order.

ORDERED on March 1, 2011.

/s/ Richard Smoak

RICHARD SMOAK

UNITED STATES DISTRICT JUDGE