

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

**PLANET BINGO, LLC,
a California limited liability company,**

Plaintiff,

vs.

CASE NO. 5:10-cv-64/RS-MD

**WILD BILL'S BINGO, INC.,
A Florida corporation,**

Defendant.

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ORDER

Before me are Counter Defendant's Motion to Dismiss the First Amended Counterclaim (Doc. 25) and Counter Claimant's Response in Opposition (Doc. 26).

Pursuant to Fed. R. Civ. P. 12(d), the motion to dismiss shall be converted into a motion for summary judgment under Rule 56. Plaintiff shall file all material that is pertinent to whether summary judgment is appropriate not later than August 27, 2010. Defendant shall file its response not later than September 10, 2010.

ORDERED on August 12, 2010

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE