

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

HANCOCK BANK, a Mississippi  
banking corporation,

Plaintiff/ Counter-defendant,

vs.

CASE NO. 5:11-cv-132/RS-EMT

JAMES A. BOYD, JR. et al.,

Defendants/ Counterclaimants.

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**ORDER**

A party may amend its counterclaim once as a matter of course within 21 days after service of a motion to dismiss under Rule 12(b). *See* Fed. R. Civ. P. 15(a)(1)(B). Here, Defendants Amended Answer, Affirmative Defenses, and Counterclaim (Doc. 29) was filed within the deadline imposed by Rule 15. Plaintiff's Motion to Dismiss Counterclaim (Doc. 17) is therefore **DENIED as moot**.

**ORDERED** on July 18, 2011.

/S/ Richard Smoak  
**RICHARD SMOAK**  
**UNITED STATES DISTRICT JUDGE**