

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 09-23248-CIV-HUCK/GARBER

QUAIL CRUISES SHIP MANAGEMENT LTD.,
a company incorporated under the laws of the
Bahamas,

Plaintiff,

v.

AGENCIA DE VIAGENS CVC TUR LIMITADA,
a company incorporated under the laws of Brazil;
VALTER PATRIANI; SEAHAWK NORTH
AMERICA, LLC, a Florida corporation; RODOLFO
SPINELLI, and LLOYD'S REGISTER NORTH
AMERICA, INC., a Delaware corporation,

Defendants.

ORDER

THIS CAUSE was before the Court on the defendants' Motion to Strike [DE 117]. Said Motion was directed towards the inclusion of a footnote in the plaintiff's response to said Motion, asserting a suggestion of undue influence in the handling of this cause. All counsel agree that said footnote has no evidentiary value and is totally irrelevant in the cause. Accordingly, and upon due consideration, it is hereby

ORDERED that defendants' Motion to Strike is GRANTED and the subject response is stricken from the record in this cause. Plaintiff may, on or before twenty (20) days from the date of this Order, re-file said response, eliminating the disputed footnote. It is further

ORDERED that plaintiff's *ore tenus* Motion to Strike E-mails relating to the footnote is GRANTED and all of said e-mails shall be stricken from the record in this cause.

DONE AND ORDERED in Chambers at Miami, Florida this 25th day of June, 2010.

A handwritten signature in black ink that reads "Barry L. Garber". The signature is written in a cursive style with a horizontal line underneath it.

BARRY L. GARBER

UNITED STATES MAGISTRATE JUDGE