

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 11-80571-CIV-MARRA

SANDRA RIOS,

Plaintiff,

vs.

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE COMPANY,

Defendant.

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**OPINION AND ORDER**

THIS CAUSE is before the Court upon Defendant State Farm Mutual Automobile Insurance Company’s Motion to Dismiss and/or Strike Complaint. (DE 1-2). The Court has carefully considered the motion and is fully advised in the premises.

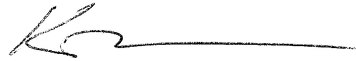
Plaintiff filed a Complaint in the Circuit Court of the Fifteenth Judicial Circuit in and for Palm Beach County, Florida, against Defendant for uninsured motorist coverage (DE 1-2). Defendant then filed a Motion to Dismiss and/or Strike Complaint in state court, arguing that the Complaint should be dismissed pursuant to Florida Rule of Civil Procedure 1.130 and Florida case law because Plaintiff failed to attach a copy of the insurance policy to her Complaint. (DE 1-2). Shortly thereafter, Defendant filed a Notice of Removal with this Court (DE 1).

This case has been removed to federal court. Under the Federal Rules of Civil Procedure, Plaintiff is not required to attach a copy of the contract in question to the Complaint. *United States ex rel. Chabot v. MLU Services, Inc.*, 544 F. Supp. 2d 1326, 1329 (M.D. Fla. 2008).

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Accordingly, it is hereby **ORDERED AND ADJUDGED** that Defendant State Farm Mutual Automobile Insurance Company's Motion to Dismiss and/or Strike Complaint (DE 1-2) is **DENIED**.

**DONE AND ORDERED** in Chambers at West Palm Beach, Palm Beach County Florida, this 23<sup>rd</sup> day of May, 2011.



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KENNETH A. MARRA  
United States District Judge

Copies to:  
Counsel of record