

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION**

COLONIAL LIFE & ACCIDENT)
INSURANCE CO.,)

Plaintiff,)

v.)

Case No. CV414-254

ROBERT L. ROBBINS; BROOKE)
ROBBINS; ARON G. WEINER, as)
Administrator of the Estate of Susan)
E. Robbins; DAMIAN BEDNARCZYK;)
and TARA BEDNARCZYK,)

Defendants.)

ORDER

Colonial Life & Accident Insurance filed this interpleader action on November 21, 2014 to determine the proper recipient of life insurance benefits. Colonial finally served all defendants late last year. *See* docs. 5 & 6 (Tara Bednarczyk served November 26, 2014 and December 2, 2014); doc. 9 (Aron Weiner acknowledged service on December 9, 2014); doc. 10 (Brooke Robbins served December 9, 2014); doc. 12 (Damian Bednarczyk acknowledged service on December 29, 2014); doc. 15 (Robert Robbins served December 30, 2014). To date, however, only Aron Weiner has answered, although seemingly a few months late. *Compare* doc. 16

(answer filed May 13, 2015), *with* doc. 9 (service acknowledged on December 9, 2014).

Weiner's answer triggered a requirement that the parties confer and file a report pursuant to Fed. R. Civ. P. 26(f). *See* Local Rule 26.1(a) & (b) (requiring parties to confer no later than 45 days after the first appearance of *any* defendant by answer or Rule 12(b) motion and to submit a Rule 26(f) report within 14 days thereafter); doc. 2 (Court's general order mandating compliance with L.R. 26.1). That report was due July 12, 2015 but has not surfaced. Colonial therefore shall, within 14 days of the date this Order is served, show why this case should not be dismissed without prejudice for abandonment and violation of both the rules as well as this Court's General Order. *See* Fed. R. Civ. P. 41(b); Local Rule 41.1(c); *Collins v. Lake Helen, L.P.*, 249 F. App'x 116, 120 (11th Cir. 2007) (“[D]istrict court[s] possesses the inherent power to police [their] docket[s]” and to prune out those cases left to languish by their litigants) (citing *Link v. Wabash R.R. Co.*, 370 U.S. 626, 629-30 (1962)); *Mingo v. Sugar Cane Growers Co-op*, 864 F.2d 101, 102 (11th Cir. 1989).

SO ORDERED this 6th day of August, 2015.



UNITED STATES MAGISTRATE JUDGE
SOUTHERN DISTRICT OF GEORGIA