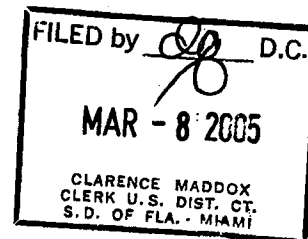


UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 03-61063-CIV-MARTINEZ



LINDA B. BOOKS and RICHARD FRESCO,

Plaintiffs,

vs.

AUTO DATA DIRECT, INC., et al.,

Defendants.

**CLOSED
CIVIL
CASE**

ADMINISTRATIVE ORDER STAYING CASE

THIS CAUSE came before the Court upon Defendants' Motion for Summary Judgment (D.E. No. 305), filed on June 25, 2004. The Court has reviewed *Kehoe v. Fidelity Federal Bank & Trust*, Case No. 03-80593, 2004 WL 1659617 (S.D. Fla. June 14, 2004) which is currently on appeal to the Eleventh Circuit Court of Appeals. The Eleventh Circuit's decision will directly affect this Court's resolution of Defendants' Motion for Summary Judgment. It is therefore:

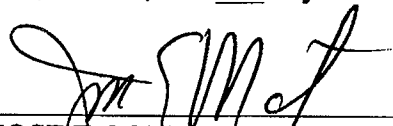
ORDERED AND ADJUDGED that

1. The case is STAYED pending a ruling by the Eleventh Circuit Court of Appeals in *Kehoe v. Fidelity Federal Bank & Trust*. The Clerk of the Court is DIRECTED to mark this case as ADMINISTRATIVELY CLOSED and DENY all pending motions as MOOT, which are not resolved herein, for statistical purposes only. This shall not prejudice the rights of the parties to this litigation.
2. The parties shall notify the Court immediately upon the Eleventh Circuit Court of Appeals issuing a ruling in *Kehoe*, and accordingly, file a motion to reopen this

case for it to proceed to final disposition. If necessary, the parties may request to file supplemental memoranda of law in light of the *Kehoe* decision.

3. Plaintiffs' Motion to Strike or Alternatively, Motion to Deny Defendants' Motion for Summary Judgment (D.E. No. 322) is DENIED.

DONE AND ORDERED in Chambers at Miami, Florida, this 8 day of March, 2005.



JOSE E. MARTINEZ
UNITED STATES DISTRICT JUDGE

Copies provided to:
Magistrate Judge Klein
All Counsel of Record