

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 16-21199-CIV-ALTONAGA/O'Sullivan

ANDREA ROSSI, et al.,

Plaintiffs,

v.

THOMAS DARDEN, et al.,

Defendants.

ORDER


THIS CAUSE came before the Court on Third-Party Defendants' Motion for Leave to Re-File Combined Motion for Partial Summary Judgment ("Motion for Leave") [ECF No. 239]. On March 22, 2017, Third-Party Defendants filed a combined motion for partial summary judgment accompanied by the Motion to Seal the Combined Motion ("Motion to Seal") [ECF No. 199]. When the Motion to Seal was denied, the Clerk of Court deleted Third-Party Defendants' summary judgment motion from the docket. (*See* Mot. for Leave ¶ 2; *see also* [ECF No. 204]). Subsequently, Third-Party Defendants inadvertently neglected to re-file the motion for summary judgment and now seek leave to re-file the summary judgment motion. (*See* Mot. for Leave ¶¶ 3–4). Third-Party Defendants state counsel for the other parties do not object to the relief requested in the Motion for Leave. (*See id.* ¶ 5; *id.* Certificate of Compliance). Being fully advised, it is

ORDERED AND ADJUDGED that the Motion for Leave [ECF No. 239] is **GRANTED**. Third-Party Defendants shall re-file their combined motion for partial summary judgment by **April 5, 2017**. The summary judgment motion will be deemed filed as of

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March 22, 2017. This Order does not affect the deadline for filing responses to the summary judgment motion.

DONE AND ORDERED in Miami, Florida this 5th day of April, 2017.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record