

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

K-BEECH, INC.,

Plaintiff,

-vs-

Case No. 2:11-cv-358-FtM-99SPC

JOHN DOES 1-57,

Defendant.

ORDER

This matter comes before the Court on Plaintiff's Motion to be Excused from Filing Case Management Report (Doc. #48) filed on February 7, 2012. Counsel for Plaintiff requests to be excused from the requirement in the Related Case Order and Track Two Notice that counsel and any unrepresented parties meet within sixty days after service of the complaint for the purposes of preparing and filing a case management report. As grounds, Counsel states that he has attempted to contact the two John Doe Defendants, David Colby and Marcos Figueroa, to inform them that the parties must meet for the purposes of preparing and filing a case management report, but that neither of them have responded.

In light of the fact that the Defendants have apparently chosen not to participate in the scheduling of this case, the Court will grant Counsel's request to be excused from holding a scheduling conference with the Defendants. But the Court will not excuse him from filing a Case Management Report. Plaintiff's Counsel shall file a unilateral Case Management Report for the Court's consideration in entering the Case Management and Scheduling Order that will govern this matter.

Accordingly, it is now

ORDERED:

Plaintiff's Motion to be Excused from Filing Case Management Report (Doc. #48) is **GRANTED in part and DENIED in part.**

Plaintiff's Counsel's request to be excused from holding a scheduling conference in this matter is **GRANTED.**

Counsel's request to be excused from filing a case management report is **DENIED.** Counsel shall have up to and including **February 17, 2012** to file a Case Management Report.

DONE AND ORDERED at Fort Myers, Florida, this 9th day of February, 2012.


SHERI POLSTER CHAPPELL
UNITED STATES MAGISTRATE JUDGE

Copies: All Parties of Record