

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

ERIC MARTIN,

Plaintiff,

v.

Case No: 6:17-cv-1922-Orl-31KRS

**AGI TRANSPORT INC. and PARVEEN
BRAR,**

Defendants.

ORDER

This matter is before the Court on the Motions to Dismiss filed by Defendants AGI Transport Inc. (henceforth, “AGI”) (Doc. 26) and Parveen Brar (“Brar”) (Doc. 25). These motions seek dismissal under Federal Rule of Civil Procedure 12(b)(2) for lack of personal jurisdiction over Defendants. Plaintiff has not responded to the Motions, so they stand unopposed. Local Rule 3.01(b).

This suit involves an auto/truck accident that occurred in Kentucky on December 16, 2016 (Doc. 13, ¶1). On that day, Plaintiff, a citizen of Florida, was injured in an accident with a truck driven by Brar and owned/operated by AGI. According to the affidavit accompanying its motion, AGI is a Canadian company, with its principal place of business in Ontario, and it does not do business in Florida or have any connections with this state. (Doc. 26-1 at 3). Similarly, Brar provides an affidavit stating that she is a Canadian citizen and a resident of Ontario. (Doc. 25-1 at 5). Except for a brief holiday visit in 2014, she has never been to Florida, and has no present plans to come here (Doc. 25-1 at 6).

The Amended Complaint itself does not allege sufficient facts to show personal jurisdiction over these Defendants. Moreover, the uncontroverted affidavits submitted by Defendants establish that neither Defendant is subject to jurisdiction under Florida's long-arm statute, Fla. Stat. § 48.193. Furthermore, exercising personal jurisdiction of the Defendants in this forum would offend traditional notions of fair play and substantial justice. Accordingly, it is

ORDERED that the Motions are **GRANTED**. This case is **DISMISSED** for lack of personal jurisdiction. The Clerk is directed to close the file.

DONE and **ORDERED** in Chambers, Orlando, Florida on March 13, 2018.




GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE