

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

WACKO'S TOO, INC., a Florida  
Corporation doing business as  
Wacko's,

Plaintiff,

v.

Case No. 3:18-cv-74-J-32MCR

CITY OF JACKSONVILLE, a  
Florida municipal corporation and  
KEVIN L. JONES, individually,

Defendants.

---

**ORDER**

This case is before the Court on Plaintiff's Motion to Dismiss the City's Counterclaim and Motion to Strike Attorneys' Fees. (Doc. 11). Defendants responded to the motion, (Doc. 14), and the Court held a hearing on the motion on August 1, 2018, the record of which is incorporated herein.

For the reasons stated on the record, it is hereby

**ORDERED:**

1. A ruling on Plaintiff's Motion to Dismiss the City's Counterclaim and Motion to Strike Attorneys' Fees, (Doc. 11), is **DEFERRED** until after the parties have mediated.

2. Not later than seven days after mediation, the parties shall file a notice with the Court that states either:

a. That the case has settled; or

b. That the parties have reached an impasse, and that the Court should rule on the motion, (Doc. 11).

**DONE AND ORDERED** in Jacksonville, Florida this 1st day of August, 2018.



TIMOTHY J. CORRIGAN  
United States District Judge

jb  
Copies to:

Counsel of record