

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

HOWARD FRANK,

Plaintiff,

v.

Case No.: 2:18-cv-162-FtM-99UAM

ROCKHILL INSURANCE  
COMPANY,

Defendant.

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**ORDER**<sup>1</sup>

This matter comes before the Court on Plaintiff's Amended Motion for Summary Judgment ([Doc. 59](#)) filed on May 6, 2019. The Court denies without prejudice the motion because it does not comply with the Court's procedure on motions for summary judgment. As stated on the undersigned's [website](#), each motion for summary judgment must include a specifically captioned section titled, "Statement of Material Facts," that lists each material fact alleged not to be disputed in *separate, numbered paragraphs*. See also [Letter to Counsel Regarding Updates to Policies and Procedures](#) (Oct. 14, 2015) (emphasis added). Because Plaintiff's motion does not list each fact alleged not to be disputed in separate, numbered paragraphs, the Court denies his motion without prejudice.

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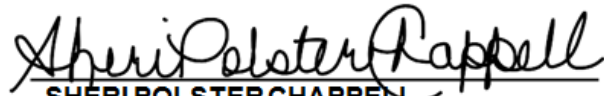
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Accordingly, it is now

**ORDERED:**

Plaintiff's Amended Motion for Summary Judgment ([Doc. 59](#)) is **DENIED without prejudice**. Plaintiff may file a second amended motion for summary judgment that complies with the Court's procedures on or before **May 10, 2019**. Defendant may file a response thereto within **fourteen (14) days** of service of Plaintiff's second amended motion for summary judgment.

**DONE** and **ORDERED** in Fort Myers, Florida this 6th day of May, 2019.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record