

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

DAVID LEE MATTHEWS,

Plaintiff,

v.

Case No: 2:18-cv-352-FtM-99MRM

ACT OF CLASS MOVING &  
STORAGE, LLC and PHIL  
MERRITT,

Defendants.

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

Before the Court is Defendants' Verified Motion for Summary Judgment ([Doc. 60](#)) filed on November 13, 2018. Although this case is assigned to the Unassigned District Judge, the undersigned is monitoring it. As such, the Court denies without prejudice Defendants' motion so that Defendants may file an amended motion that complies with the undersigned's procedures 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. Also, each fact must be supported by a pinpoint citation to the specific part of the record relied upon

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to support that fact. Here, because Defendants' motion neither lists each fact alleged to be undisputed in separate, numbered paragraphs nor offers pinpoint citations to the record, the Court denies it without prejudice.


Accordingly, it is now

**ORDERED:**

(1) Defendants' Verified Motion for Summary Judgment ([Doc. 60](#)) is **DENIED without prejudice.**

(2) Defendants may file an amended motion for summary judgment that complies with the undersigned's procedures on or before **November 26, 2018**. Plaintiff may file a response within **fourteen (14) days** of service of Defendants' amended motion for summary judgment.

**DONE** and **ORDERED** in Fort Myers, Florida this 19th day of November 2018.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record