

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ALTA MAR CONDOMINIUM  
ASSOCIATION, INC. and  
WESTCHESTER SURPLUS LINES  
INSURANCE COMPANY, as assignee  
of Soares Da Costa Construction  
Services, LLC

Plaintiffs,

v.

Case No: 2:18-cv-359-FtM-99CM

HARTFORD FIRE INSURANCE  
COMPANY, AMERICAN HOME  
ASSURANCE COMPANY and  
ILLINOIS NATIONAL  
INSURANCE COMPANY,

Defendants.

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**ORDER**

This matter comes before the Court upon review of Defendant Hartford Fire Insurance Company's Motion for Leave to File a Reply in Support of its Motion to Dismiss filed on June 12, 2018 and Plaintiff's opposition to the motion filed on June 25, 2018. Docs. 29, 34. Defendant seeks leave to file a twelve-page reply brief to Plaintiff's response to its motion to dismiss. *Id.* at 3. For the reasons stated below, the motion is granted in part and denied in part.

Under Middle District of Florida Local Rule 3.01(c), "[n]o party shall file any reply or further memorandum directed to [a] motion or response . . . unless the Court grants leave." A party moving for a reply brief must show good cause. *McDonald v. United States*, No. 3:13-cv-168-J-37MCR, 2013 WL 3901871, at \*1 n.3 (M.D. Fla.

July 29, 2013). Moreover, the Court will not grant leave to file a reply brief unless the reply will benefit the Court's resolution of the pending motion. *See Schumann v. Collier Anesthesia, P.A.*, No. 2:12-cv-347-FtM-29CM, 2014 WL 1230644, at \*4 n.3 (M.D. Fla. Mar. 25, 2014) (denying leave to file a reply brief where such brief would not aid the Court's resolution of the underlying motion). Here, the Court will allow Defendant to file a reply brief not to exceed seven pages because the Court finds Defendant demonstrates good cause, and a reply brief will aid judicial resolution of the motion to dismiss. *See id.*; M.D. Fla. R. 3.01(c).

ACCORDINGLY, it is

**ORDERED:**

Defendant Hartford Fire Insurance Company's Motion for Leave to File a Reply in Support of its Motion to Dismiss (Doc. 29) is **GRANTED in part and DENIED in part**. Hartford Fire Insurance Company shall have up to and including **July 3, 2018** to file a reply brief not to exceed seven (7) pages.

**DONE** and **ORDERED** in Fort Myers, Florida on this 26th day of June, 2018.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record