

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION**

JASON IFILL,

Plaintiff,

v.

Case No: 2:18-cv-713-FtM-29UAM

UNITED STATES SUGAR CORP.,  
INTERNATIONAL ASSOCIATION OF  
MACHINISTS AND AEROSPACE  
WORKERS, T.J. GRAHAM and MARK  
OSBORN,

Defendants.

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**ORDER**

This matter comes before the Court upon review of Defendant Local 57's Unopposed Motion to Defer Deadlines and Discovery Against It Pending Disposition of its Motion to Dismiss and Supporting Memorandum of Law. Doc. 48. Plaintiff does not oppose the requested relief. *Id.* at 3. Plaintiff filed the Complaint on October 26, 2018, and Local 57 filed its motion to dismiss on December 27, 2018, arguing that service was ineffective. Docs. 1, 27. Plaintiff concedes that the claims against Local 57 should be dismissed without prejudice to Plaintiff re-filing after perfecting service. Doc. 35 at 2. The parties filed their Case Management Report on February 15, 2019, and Local 57 now seeks to stay all case deadlines as to it pending the ruling on its motion to dismiss. Docs. 45, 48. However, the Court has not entered a Case Management and Scheduling Order yet, and thus there are no deadlines for the Court to defer. *See generally* Docket. Accordingly, Local 57's motion will be denied without prejudice.

ACCORDINGLY, it is

**ORDERED:**

Defendant Local 57's Unopposed Motion to Defer Deadlines and Discovery Against It Pending Disposition of its Motion to Dismiss and Supporting Memorandum of Law (Doc. 48) is **DENIED without prejudice.**

**DONE and ORDERED** in Fort Myers, Florida on this 27th day of February, 2019.

  
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DOUGLAS N. FRAZIER  
UNITED STATES MAGISTRATE JUDGE

Copies:  
Counsel of record