

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MIKE POLOMSKI and TRACY
POLOMSKI,

Plaintiffs,

v.

Case No: 6:18-cv-1822-Orl-28TBS

LIBERTY MUTUAL FIRE INSURANCE
COMPANY,

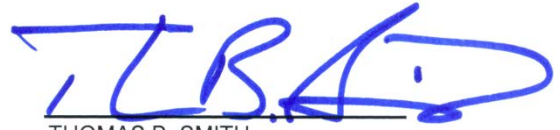
Defendant.

ORDER

This case comes before the Court *sua sponte*. On April 19, 2019, Plaintiffs filed their expert witness disclosures (Doc. 28). Federal Rule of Civil Procedure 5 provides that “disclosures under Rule 26(a)(1) or (2)¹ ... must not be filed until they are used in the proceeding or the court orders filing[.]” FED. R. CIV. P. 5(d)(1). Similarly, the local rules state that material disclosed pursuant to Rule 26 “shall not be filed with the Court as a matter of course but may later be filed in whole or in part if necessary” M.D. FLA. R. 3.03(d); see also Middle District Discovery (2015) at 4 (“Discovery materials are filed only in limited circumstances, including if ordered by the Court, if necessary to the presentation or defense of a motion, or if required by Rule 26(a)(3).”). There is no good reason for filing Plaintiffs’ disclosures. Therefore, the filing at docket entry 28 is **STRICKEN**.

¹ FED. R. CIV. P. 26(a)(2)(A) requires a party to “disclose to the other parties the identity of any witness it may use at trial or present evidence under Federal Rule of Evidence 702[(testimony by expert witnesses)], 703[(basis of an expert’s opinion testimony)], or 705[(disclosing the facts or data underlying an expert’s opinion)].” (emphasis added).

DONE and ORDERED in Orlando, Florida on April 22, 2019.



THOMAS B. SMITH
United States Magistrate Judge

Copies furnished to Counsel of Record