

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

LAS BRISAS CONDOMINIUM  
HOMES CONDOMINIUM  
ASSOCIATION, INC.,

Plaintiff,

v.

Case No. 2:21-CV-41-KCD

EMPIRE INDEMNITY  
INSURANCE COMPANY,

Defendant,

\_\_\_\_\_ /

**ORDER**

This case was before the Court for a status conference on January 13, 2025. For the reasons stated on the record, the final pretrial conference will be moved to February 6, 2025, at 2:00 pm. Trial will otherwise remain as scheduled, and Defendant's arguments for a continuance will be addressed at the final pretrial conference. Of note, Defendant seeks a continuance because its designated corporate representative is now unavailable during the scheduled trial term. The Court directs defense counsel to consider the following case law in advance of the rescheduled final pretrial conference, as it might impact how to proceed. *See Indus. Eng'g & Dev., Inc. v. Static Control Components, Inc.*, No. 8:12-CV-691-T-24-MAP, 2014 WL 4983912, at \*4 (M.D. Fla. Oct. 6, 2014) (explaining that although Fed. R. Civ. P. 30(b)(6) allows a

corporate designee to testify to matters within the corporation's knowledge during deposition, at trial the designee may not testify to matters outside his own knowledge to the extent that information is hearsay not falling within one of the authorized exceptions); *see also Kraft Foods Glob., Inc. v. United Egg Producers, Inc.*, No. 11-CV-8808, 2023 WL 5647204, at \*13 (N.D. Ill. Aug. 31, 2023) (discussing how corporate deposition testimony will be treated at trial); *In re RFC & RESCAP Liquidating Tr. Action*, No. 013CV3451SRNHB, 2020 WL 504661, at \*6 (D. Minn. Jan. 31, 2020) (same).

**ORDERED** in Fort Myers, Florida on January 13, 2025.



Kyle C. Dudek  
United States Magistrate Judge