

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

OLGA BORREGO and FERNANDO
BORREGO,

Plaintiffs,

v.

Case No: 6:22-cv-483-CEM-LHP

GEOVERA SPECIALTY INSURANCE
COMPANY,

Defendant

ORDER

This cause came on for consideration without oral argument on the following motion filed herein:

**MOTION: GEOVERA’S MOTION FOR ENTITLEMENT TO
FEES AND TO TAX COSTS (Doc. No. 50)**

FILED: January 4, 2024

**THEREON it is ORDERED that the motion is DENIED without
prejudice.**

Defendant moves for entitlement to attorneys’ fees and costs pursuant to Fla. Stat. § 768.79, Fed. R. Civ. P. 54(d), Fla. R. Civ. P. 1.442, and Local Rule 7.01. Doc. No. 50. According to the Local Rule 3.01(g) certification, defense counsel

“attempted to confer with [Plaintiffs], who are *pro se*, via both telephone and email on 1/4/24, but has not been able to reach them or receive a response.” *Id.* at 10. Defendant has not supplemented the motion pursuant to Local Rule 3.01(g)(3), however. *See* Local Rule 3.01(g)(3) (providing that if the opposing party is unavailable for a conference prior to filing a motion, the movant must diligently attempt contact for three days, and upon contact or expiration of the three-day period, the movant must file a supplement to the motion, and that failure to supplement can result in the denial of a motion without prejudice). Accordingly, the above-styled motion (Doc. No. 50) is **DENIED without prejudice**.

DONE and ORDERED in Orlando, Florida on January 16, 2024.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties