

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

AGILE JOURNEYS LLC,

Plaintiff,

v.

Case No.: 2:22-cv-766-SPC-NPM

THE WALT DISNEY COMPANY
and WALT DISNEY PARKS AND
RESORTS, U.S., INC.,

Defendants.

_____/

OPINION AND ORDER¹

Before the Court is a *sua sponte* review of the Complaint ([Doc. 1](#)). A plaintiff “must begin an action in the division to which the action is most directly connected or in which the action is most conveniently advanced.” [Local Rule 1.04\(b\)](#). Plaintiff filed in this Division. But there is no connection to Fort Myers or convenience litigating here. Rather, the proper forum is the Orlando division. The Orlando division encompasses Orange County, Florida, which contains Lake Buena Vista and Orlando, Florida—the area where Defendant resides or has allegedly committed acts of infringement and has a regular and

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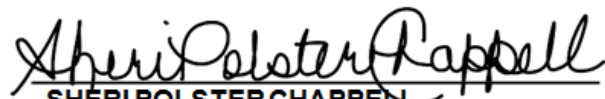
established place of business pursuant to 28 U.S.C. § 1400(b). Because Orlando is most connected to, and convenient for, this action, the Court transfers there. Local Rule 1.04(b) (“The judge must transfer the action to the division most consistent with the purpose of this rule”); 28 U.S.C. §1406 (“The district court of a district in which is filed a case laying venue in the wrong division or district shall dismiss, or if it be in the interest of justice, transfer such case to any district or division in which it could have been brought”).

Accordingly, it is now

ORDERED:

The Clerk is **DIRECTED** to **TRANSFER** this action to the Orlando Division of the Middle District of Florida and **CLOSE** the Fort Myers case.

DONE and **ORDERED** in Fort Myers, Florida on December 6, 2022.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record