

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

**ERICA VINSON; TAYLOR
TAYLOR; and MARK GOLDBERG,**

Plaintiffs,

v.

Case No. 8:22-cv-1928-WFJ-SPF

**THEE TREE HOUSE, LLC;
and THOMAS ORTIZ,**

Defendants.

ORDER

Before the Court is Erica Vinson, Taylor Taylor, and Mark Goldberg’s (collectively, “Plaintiffs”) Motion for the Court to Enter Judgment pursuant to Federal Rule of Civil Procedure 54(b). Dkt. 65. The Court invited Defendant Thomas Ortiz to respond if he opposed the relief sought by Plaintiffs. Dkt. 66. Mr. Ortiz has failed to do so, rendering Plaintiffs’ Motion unopposed. *See* Local Rule 3.01(c). Upon careful consideration, the Court grants Plaintiffs’ Motion.

DISCUSSION

“When an action presents more than one claim for relief . . . or when multiple parties are involved, the court may direct entry of a final judgment as to one or more, but fewer than all, claims or parties only if the court expressly determines that there is no just reason for delay.” Fed. R. Civ. P. 54(b). Here, there

is no reason to delay entering final judgment against Mr. Ortiz as to Counts I and II. All claims against Mr. Ortiz (Counts I and II) have been fully resolved, Dkt. 53; Dkt. 54, and final judgment has been entered in favor of Plaintiffs against Mr. Ortiz on these claims, Dkt. 57. The only remaining claims relate to Defendant Thee Tree House, LLC, which has filed bankruptcy and thereby secured a stay. Dkt. 19. This stay does not justify delaying the appeal of the Court's Orders concerning Mr. Ortiz's liability or the Plaintiffs' attempts to collect on the Judgment. *Lane v. Cap. Acquisitions & Mgmt. Co.*, 569 F. Supp. 2d 1268, 1270 (S.D. Fla. 2008) (finding that a bankruptcy stay against one party did not provide "reason to delay the appeal of" the court's final rulings as to the other parties). The Court therefore directs that the Judgment entered on October 5, 2023 (Dkt. 57) shall be a final judgment under Rule 54(b) with respect to all claims and parties other than the claims against Thee Tree House.

CONCLUSION

Accordingly, it is hereby **ORDERED** and **ADJUDGED**: Plaintiffs' Motion (Dkt. 65) is **GRANTED**. The Judgment entered on October 5, 2023 (Dkt. 57) is final and appealable pursuant to Rule 54(b).

DONE AND ORDERED at Tampa, Florida, on July 15, 2024.

/s/ William F. Jung

WILLIAM F. JUNG

UNITED STATES DISTRICT JUDGE

COPIES FURNISHED TO:

Counsel of Record