

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

ERIN REAVES,

Plaintiff,

v.

Case No. 3:23-cv-403-TJC-JBT

IMMEDIATE MEDICAL CARE,  
P.A., a Florida Profit Corporation,

Defendant.

---

**ORDER**

This disability discrimination case is before the Court on several motions. Defendant Immediate Medical Care, P.A. filed a motion to dismiss (Doc. 8), to which Plaintiff Erin Reaves responded (Doc. 9). Reaves then filed a motion for default judgment (Doc. 12), and Defendant filed a motion for protective order to Plaintiff's requests for admission (Doc. 19). The Court held a status conference on August 23, 2023, the record of which is incorporated by reference. (Doc. 26). Since, both parties filed more motions and Defendant filed a notice of supplemental authority. (Docs. 24, 25, 27, 28, 29).

Defendant moves to dismiss the complaint because it claims to have never violated Title III of the Americans with Disabilities Act ("ADA"). (Doc. 8). Though this may bear true later in the case, at the motion to dismiss stage the Court can only consider the facts alleged in the complaint taken as true. See

Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009). Applying this standard, the allegations state a claim. Therefore, Defendant’s motion to dismiss is denied. (Doc. 8). Because the motion to dismiss is denied, Defendant’s motion for protective order also is denied and discovery may commence. (Doc. 19).

Reaves’ motion for default judgment is denied too. Ramsey Moosavi, MD, JD may represent Defendant and the Court waives Local Rule 2.01 in this action. However, the Court cautions Dr. Moosavi to engage in this lawsuit with the same professionalism expected of all counsel. Comments in filings calling Reaves a “manipulative liar” and making personal attacks on her character will not be tolerated. (See Doc. 29 at 10–13). The Court can amend this ruling and require Defendant to obtain legal representation at any time. Defendant also is free to get legal counsel at any point.

Both parties filed motions for miscellaneous relief and Defendant filed a motion for sanctions. (Docs. 24; 28; 29). In the motions, each party contends the other has acted improperly. Id. In Defendant’s motions, it raises a potential ethical issue related to settlement negotiations identified by the Court at the August 23, 2023 hearing. (Docs. 28 at 2; 29 at 8). This matter requires more explanation by Reaves’ counsel. Accordingly, he shall file a brief regarding whether the settlement offer discussed at the hearing and identified in Defendant’s motions violated any professional rule or ethical obligation.

In the meantime, the parties are expected to respond to one another promptly and courteously. Pursuant to FED. R. CIV. P. 26(f), Reaves' counsel and Dr. Moosavi must have a conference (either via telephone, Zoom, or in person) at a time convenient for both parties regarding a proposed Case Management Report. It appears Dr. Moosavi attempted to initiate this conference, but it has not occurred. (See Doc. 28-5). The parties must do so expediently and file a jointly proposed case management report. The motions for miscellaneous relief and sanctions are therefore denied. However, the Court will consider similar motions in the future if meritorious and well supported.

Accordingly, it is hereby

**ORDERED:**

1. No later than **October 17, 2023**, Reaves' counsel shall file a brief regarding whether the settlement offer discussed at the hearing and identified in Defendant's motions violated any professional rule or ethical obligation.
2. Defendant Immediate Medical Care, P.A.'s Motion to Dismiss (Doc. 8) is **DENIED**.
3. Defendant shall file an answer to the Complaint (Doc. 1) no later than **October 27, 2023**.
4. After completing their Rule 26(f) conference, the parties shall jointly file a case management report no later than **October 27, 2023**.

5. Plaintiff Erin Reaves' Motion for Default and Default Judgment (Doc. 12) is **DENIED**.

6. Defendant's Motion for Protective Order to Plaintiff's Requests for Admission (Doc. 19) is **DENIED**.

7. Plaintiff's Motion for Miscellaneous Relief (Doc. 24) is **DENIED**.

8. Defendant's Motion for Miscellaneous Relief (Doc. 28) is **DENIED**.

9. Defendant's Motion for Sanction (Doc. 29) is **DENIED**.

**DONE AND ORDERED** in Jacksonville, Florida the 2nd day of October, 2023.



*Timothy J. Corrigan*  
TIMOTHY J. CORRIGAN  
United States District Judge

ksm

Copies:

Counsel of Record

Ramsey Moosavi  
9770 Old Baymeadows Rd Ste 115  
Jacksonville, FL 32256