

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DAVID MCGLYNN,

Plaintiff,

v.

Case No: 6:23-cv-531-PGB-LHP

EL SOL MEDIA NETWORK INC,

Defendant

ORDER

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

MOTION: PLAINTIFF'S MOTION FOR LEAVE TO FILE FIRST AMENDED COMPLAINT; REQUEST FOR ADDITIONAL TIME TO SERVE DEFENDANT; AND REQUEST FOR CLARIFICATION (Doc. No. 21)

FILED: November 9, 2023

THEREON it is ORDERED that the motion is GRANTED.

Plaintiff's request for leave to file an amended complaint is **GRANTED**, and it is **ORDERED** that Plaintiff shall file the proposed amended complaint (Doc. No. 21-1) as a separate docket entry on or before **November 28, 2023**.

Plaintiff's request for an extension of time to serve Defendant is **GRANTED**, and it is **ORDERED** that Plaintiff shall file proof of service of the amended complaint on Defendant within **forty-five (45) days** of the filing of the amended complaint.

Plaintiff's request for clarification is **GRANTED**. The Court will apply the versions of the Florida Statutes governing service that were in effect at the time that Plaintiff's copyright cause of action accrued. *See, e.g., Reimer v. Highland Health Direct, LLC*, No. 23-CV-60237, 2023 WL 6973539, at *2 (S.D. Fla. Sept. 11, 2023) (collecting authority for proposition that "Under Florida law, the statute in effect when a cause of action accrues determines the applicable version of a statute. . . . This holds true for Florida's service of process statutes." (citations omitted)); *see also Felton v. Winter Park Police Dep't*, No. 6:22-cv-898-RBD-DAB, 2022 WL 8216907, at *3 n.4 (M.D. Fla. Aug. 2, 2022), *report and recommendation adopted*, 2022 WL 4396375 (M.D. Fla. Sept. 23, 2022).

DONE and **ORDERED** in Orlando, Florida on November 21, 2023.



LESLIE HOFFMAN PRICE
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record

Unrepresented Parties