

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

ANGELEANA GOEBEL, on behalf of herself
and all others similarly situated,

Plaintiff,

v.

Case No: 8:24-cv-00463-KKM-AAS

BIG BROTHERS BIG SISTERS
OF AMERICA CORPORATION,

Defendant.

ORDER

Plaintiff is directed to establish—no later than July 10, 2024, and in a brief not exceeding eight (8) pages inclusive of all parts—why the Court should not dismiss this case for lack of jurisdiction in the light of the order entered in *DiPierro v. Florida Health Sciences Center*, No. 8:23-cv-1864, (Doc. 39), 2024 WL 3051320 (M.D. Fla. June 18, 2024) (Mizelle, J.). In particular, Plaintiff should address whether any alleged misuse is plausibly traceable to the specific information allegedly compromised in the data breach. Plaintiff should also address whether any alleged misuse is plausibly traceable to the specific data breach at issue. Lastly, Plaintiff should address whether an increased volume of spam messages or emails constitutes misuse as the Eleventh Circuit used that term in *Tsao* and

Green-Cooper. If desired, Defendant may file a response brief not to exceed eight (8) pages by July 17, 2024.

ORDERED in Tampa, Florida, on June 27, 2024.



Kathryn Kimball Mizelle
United States District Judge