UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

FEDERAL TRADE COMMISSION and
STATE OF FLORIDA,

Plaintiffs,

v. Case No: 2:17-cv-228-FtM-99MRM

VYLAH TEC LLC, EXPRESS TECH
HELP LLC, TECH CREW SUPPORT LLC,
ANGELO J. CUPO and ROBERT CUPO,

Defendants.
_____/

ORDER

Pending before the Court is Defendants' Time Sensitive Motion to Hold Schedule in Abeyance Pending Resolution of Two Motions for Sanctions for Failure to Comply with Omnibus Discovery Order and Discovery Obligations, filed on October 1, 2018. (Doc. 268). Plaintiff State of Florida filed a Notice of Non-Opposition to Defendants' Motion to Stay Case Management and Scheduling Order on October 4, 2018. (Doc. 269). Plaintiff Federal Trade Commission ("FTC") filed a Response in Opposition to Defendants' Time-Sensitive Motion to Hold Schedule in Abeyance Pending Resolution of Two Motions for Sanctions for Failure to Comply with Omnibus Discovery Order and Discovery Obligations on October 8, 2018. (Doc. 271). The matter is ripe for review.

Defendants request that the Court hold the case management schedule in abeyance until their pending Motion for Sanctions Against Plaintiff State of Florida For Failure to Prepare and Appear for a Rule 30(b)(6) Deposition and for Failure to Obey a Court Order (Doc. 267) and pending Motion for Sanctions Against Plaintiff Federal Trade Commission for Failure to Prepare or Appear for a Rule 30(b)(6) Deposition and for Failure to Obey a Court Order (Doc. 270) are

resolved. Defendants note that the deadline to file "Dispositive Motions and *Daubert* Motions" is October 17, 2018. (*Id.* (citing Doc. 257)). Defendants allege that the motions for sanctions "may serve to narrow the issues remaining before the Court, thus limiting the issues for which dispositive motions could be relevant," and they therefore request that the schedule be held in abeyance until the motions for sanctions are resolved. (*Id.*).

Upon review of the Motion (Doc. 268) and Plaintiff FTC's Response (Doc. 271), the Court agrees with the FTC that this case must remain on track and that if the Court subsequently concludes that discovery and summary judgment briefing must be supplemented, the Court will address those matters at an appropriate time. (Doc. 271 at 2).

Accordingly, the Court hereby **ORDERS** that Defendants' Time Sensitive Motion to Hold Schedule in Abeyance Pending Resolution of Two Motions for Sanctions for Failure to Comply with Omnibus Discovery Order and Discovery Obligations (Doc. 268) is **DENIED**.

DONE AND ORDERED in Fort Myers, Florida on October 9, 2018.

MAC R. MCCOY
UNITED STATES MAGISTRATE JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties