UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

FIRST CHOICE HORIZON LLC, *et al*,

Defendants.

Case No. 6:19-cv-1028-PGB-40-LRH

JOINT MOTION TO WITHDRAW CERTAIN AFFIRMATIVE DEFENSES AND PERMIT OPPORTUNITY TO AMEND OTHERS

Plaintiff and Defendants, by and through their undersigned attorneys, jointly move this Court to withdraw certain affirmative defenses and permit Defendants the opportunity to amend others. Specifically, the parties show the Court as follows:

1. Affirmative Defenses Nos. 4, 5, and 6 are withdrawn.
2. Defendants shall have until September 13, 2019 to amend and re-plead Affirmative Defenses Nos. 1, 2, and 3.
3. Plaintiff shall have 14 days from the date Defendants amend and re-plead Affirmative Defenses Nos. 1, 2 and 3 by which to file a motion to strike affirmative defenses pursuant to Federal Rule of Civil Procedure 12(f).
4. Should Defendants fail to timely amend and re-plead Affirmative Defenses Nos. 1, 2 and 3, those Affirmative Defenses will automatically be stricken.

WHEREFORE, the parties move to withdraw Affirmative Defenses Nos. 4, 5, and 6, and respectfully request that Defendants be permitted to amend and re-plead Affirmative Defenses Nos. 1, 2, and 3, and that Defendants have through and including September 13, 2019 by which to file any such amendment.

A proposed order is attached hereto.

Date: August 30, 2019

Respectfully submitted,

/s/ Michael A. Boutros
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ATTORNEY FOR DEFENDANTS

CERTIFICATE OF SERVICE

I hereby certify that, on this date, I electronically filed the foregoing with the Clerk of the Middle District of Florida, Orlando Division using CM/ECF which will automatically send email notification of such filing to counsel of record and to the receiver.

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Dated: August 30, 2019

/s/ Michael A. Boutros
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