

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

**BRUCE AND WENDY ANDERSON,**

Plaintiffs,

v.

Case No. 3:07-cv-844-J-25 JRK

**AMWAY/QUIXTAR, INC., etc.. et al,**

Defendants.

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**ORDER**

This Cause is before the Court on Defendant Hal Gooch's Motion to Dismiss for Failure to State a Claim (Dkt. 32), Defendant Christopher's Motion to Dismiss (Dkt. 46) and Plaintiffs' Motion to Extend Time to Conduct Case Management Meeting and to File Case Management Report (Dkt. 48).

Also before the Court is Defendant Hal Gooch's Motion to Dismiss for Lack of Jurisdiction (Dkt. 30). The arguments contained in the Motion to Dismiss for Lack of Jurisdiction are moot based upon this Court's Order of January 24, 2007.

It appears that the remaining Motions to Dismiss also apply to some or all of the allegations against both *pro se* Defendant Michael Young McCormick and Defendant Quixtar, Inc. These Defendants, however, have not requested to adopt either Motion.

The Court notes that Mr. McCormick has filed an answer which requests dismissal of the action against him. Defendant Quixtar, Inc. has filed an answer which contends that Plaintiffs' Complaint is due to be dismissed because it fails to state a claim upon which relief can be

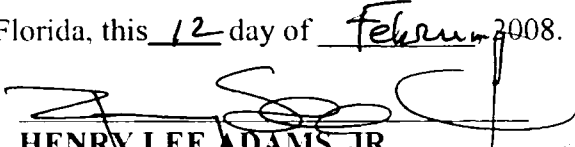
granted. However, neither dismissal request includes a memorandum of law and is therefore inadequate. Accordingly, it is **ORDERED**:

1. Defendant Hal Gooch's Motion to Dismiss for Lack of Jurisdiction (Dkt. 30) is **DENIED AS MOOT**.

2. Defendant Michael Young McCormick and/or Defendant Quixtar, Inc. may file an adequate motion to dismiss or a motion adopting Defendant Hal Gooch's Motion to Dismiss for Failure to State a Claim (Dkt. 32), Defendant Christopher's Motion to Dismiss (Dkt. 46), or both, within **eleven days**. Plaintiffs shall then have **eleven days** to respond to such pleading.

3. Plaintiffs' Motion to Extend Time to Conduct Case Management Meeting and to File Case Management Report (Dkt. 48) is **GRANTED**. The parties shall have until **March 14, 2008** to meet and **March 28, 2008** to file their Case Management Report.

**DONE AND ORDERED** at Jacksonville, Florida, this 12 day of February, 2008.

  
**HENRY LEE ADAMS, JR.**  
UNITED STATES DISTRICT JUDGE

Copies to:  
Counsel of Record