

FILED
U.S. DISTRICT COURT
SAVANNAH DIV.

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SO. DIST. OF GA.

IN THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF GEORGIA
SAVANNAH DIVISION

LISA T. JACKSON,)
)
Plaintiff,)

v.)

PAULA DEAN; PAULA DEAN)
ENTERPRISES, LLC; THE LADY &)
SONS, LLC; THE LADY)
ENTERPRISES, INC.; UNCLE)
BUBBA'S SEAFOOD & OYSTER)
HOUSE, INC.; and EARL W.)
HIERS;)

Defendants.)

CASE NO. CV412-139

UNCLE BUBBA'S SEAFOOD &)
OYSTER HOUSE, INC.; and EARL)
W. HIERS;)

Counterclaimants,)

v.)

LISA T. JACKSON,)
)
Counter Defendant.)

ORDER

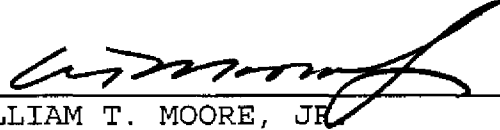
Before the Court are Defendants' Motion to Dismiss and to Strike (Doc. 10) and Plaintiff's Motion to Dismiss Counterclaim (Doc. 14). However, Plaintiff has filed a second amended complaint subsequent to the parties submitting their motions. (Doc. 47.) As a result, the pending motions are **DISMISSED AS MOOT**. Defendant shall be

required to answer the amended complaint in accordance with Federal Rule of Civil Procedure 12(a). In addition, Defendant may file any motions to dismiss or motions to strike based on the second amended complaint pursuant to Federal Rule of Civil Procedure 12(b). Should Defendants bring any counterclaim, Plaintiff may file any motions to dismiss in accordance with Federal Rule of Civil Procedure 14.

When refiling these motions, the parties should be aware that the Court will not accept any motion or response that incorporates by reference any factual allegation or argument contained in an earlier filing. Each motion and response should be a stand-alone filing that independently contains all the factual allegations and arguments that the filing party wishes the Court to consider. Additionally, the parties should note that the filing of the amended complaint does not affect either the discovery or motions deadlines for this case, set for March 7, 2013 and April 6, 2013, respectively. (Doc. 40.) Finally, the parties are **WARNED** that the Court is unlikely to grant any extension to either of these deadlines. In this regard, the parties are on notice that any failure to complete discovery by March 7, 2013 due to one or both parties' reticence in actively and continuously engaging in discovery and moving this case

toward its ultimate resolution is very unlikely to be rewarded with an extension of the discovery deadline.

SO ORDERED this 5th day of December 2012.



WILLIAM T. MOORE, JR.
UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF GEORGIA