

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:16-CV-21199-CMA/O'Sullivan

ANDREA ROSSI, *et al.*,

Plaintiffs,

v.

THOMAS DARDEN, *et al.*,

Defendants.

**[PROPOSED] ORDER GRANTING PLAINTIFFS' RENEWED MOTION FOR LEAVE
TO FILE ANSWER AND AFFIRMATIVE DEFENSES TO
DEFENDANTS' INDUSTRIAL HEAT, LLC AND
IPH INTERNATIONAL, B.V.'S COUNTERCLAIM OUT OF TIME**

Before the Court is Plaintiffs' Renewed Motion for Leave to File Answer and Affirmative Defenses to Defendants' Counterclaim Out of Time [D.E. 98] ("Renewed Motion"). The Plaintiff's original Motion for Leave to File Answer and Affirmative Defenses Out of Time [D.E. 95] ("Original Motion"), filed December 23, 2016, was denied without prejudice for failure to attached a proposed order. The Original Motion and the Renewed Motion were made pursuant to Fed. R. Civ. P. 6(b)(1)(B), and request that the Court accept Plaintiffs' Answer and Affirmative Defenses to Defendants' Counterclaim [D.E. 89] ("Answer") filed after the time for filing had expired. The Renewed Motion, however, properly attaches and includes a proposed order thereto.

The Court has reviewed the Motion and has determined that Plaintiffs have demonstrated adequate grounds to permit filing the Answer [D.E. 89] after the time had expired. Therefore, it is hereby

ORDERED AND ADJUDGED that

1. The Renewed Motion [D.E. 95] is **GRANTED**.
2. Plaintiffs' Answer [D.E. 89] shall be deemed filed as of December 14, 2016.

DONE and ORDERED in Chambers, at Miami, Florida, on this ____ day of _____, 201__.

CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record