

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 16-21199-CIV-ALTONAGA/O'Sullivan

ANDREA ROSSI, et al.,

Plaintiffs,

v.

THOMAS DARDEN, et al.,

Defendants.

ORDER

THIS CAUSE came before the Court *sua sponte*. On February 1, 2017, the Court entered an Order [ECF No. 130], granting Defendants, Thomas Darden; John T. Vaughn; Industrial Heat, LLC; IPH International B.V.; and Cherokee Investment Partners, LLC's (collectively, "Defendants[']") Motion for Leave to File Fourth Amended Answer . . . [ECF No. 124]. That same day, Defendants filed their Fourth Amended Answer, Additional Defenses, Counterclaims[,] and Third-Party Claims ("Counterclaims") [ECF No. 132], in accordance with the Order. On February 15, 2017, Plaintiffs, Andrea Rossi and Leonardo Corporation; and Third-Party Defendants, J.M. Products, Inc.; Henry Johnson; and James A. Bass submitted respective answers to the Counterclaims, as mandated by the Order. (*See* Plaintiffs' Answer . . . [ECF No. 140]; Third-Party Defendants[,], J.M. Products, Inc., Henry Johnson, and James A. Bass's Answer . . . [ECF No. 141]). To date, Third-Party Defendants, Fulvio Fabiani and United States Quantum Leap, LLC have failed to file answers to the Counterclaims.

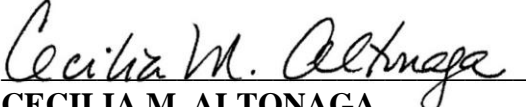
Accordingly, it is

ORDERED AND ADJUDGED that Third-Party Defendants, Fulvio Fabiani and United States Quantum Leap, LLC shall file answers to the Counterclaims [ECF No. 132] by **February 21,**

CASE NO. 16-21199-CIV-ALTONAGA/O'Sullivan

2017, or show cause in writing why sanctions should not be imposed. They are reminded the Court will not entertain further motions to dismiss for failure to state a claim. (*See* Order 3).

DONE AND ORDERED in Miami, Florida this 16th day of February, 2017.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record