

IN THE CIRCUIT COURT OF THE  
NINTH JUDICIAL CIRCUIT IN AND  
ORANGE COUNTY, FLORIDA

FOR

FLORIDA INFECTIOUS DISEASE  
GROUP, P.A., a Florida personal  
service corporation,

Plaintiff,

vs.

CASE NO.: 03-CA-2424  
Div. 39

UNITED HEALTHCARE OF FLORIDA,  
INC., a Florida corporation,

Defendant.

**ORDER ON DEFENDANT'S MOTION TO DISMISS AMENDED COMPLAINT**  
**AND**  
**MOTION TO STRIKE PLAINTIFF'S REQUEST FOR ATTORNEY'S FEES**

**THIS MATTER** was taken up by the Court and heard in Chambers on November 24, 2003, pursuant to Defendant, United HealthCare of Florida, Inc.'s, Re-Notice of Hearing served on October 1, 2003.

The Court, having examined the Court's file in this case, having thoroughly reviewed the filings of each party, including reviewing the cases cited by each party, having considered the argument's of the counsel for each party which were ably made, and otherwise being advised in the premises, hereby rules as follows:

**ORDERED**

The Plaintiff, Florida Infectious Disease Group, P.A., voluntarily dismissed Counts VII and VIII of the Amended Complaint prior to the hearing; therefore, these Counts were not at issue in the hearing and are considered dismissed.

Plaintiff's Motion to Dismiss the Amended Complaint (other than Counts VII and VIII, referred to above) and Motion to Strike Plaintiff's Request for Attorney's Fees are each hereby **DENIED.**

Defendant is ordered to file its Answer to the Amended Complaint within twenty (20) days of the date of this Order.

**DONE** in Chambers, at Orlando, Orange County, Florida, this 3rd day December, 2003.

/S/ \_\_\_\_\_

**WILLIAM C. GRIDLEY**  
Judge, Circuit Court

**SERVICE OF CONFORMED COPIES**

Conformed copies of the foregoing Order were served via U.S. mail, postage prepaid, to: David J. Armstrong, Esquire, Law Offices of Steven M. Ziegler, P.A. (Attorneys for the Defendant, United Health Care), Presidential Circle, 4000 Hollywood Boulevard, Suite 375 South, Hollywood, Florida 33021 and George F. Indest III, The Health Law Firm (Attorneys for Plaintiff, Florida Infectious Disease Group, P.A.), 220 East Central Parkway, Suite 2030,

Altamonte Springs, Florida 32701, on this 4th day of December, 2003.

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Judicial Assistant/Attorney