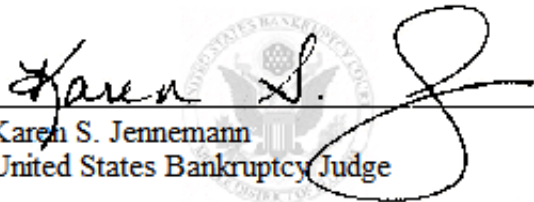


ORDERED.

Dated: September 16, 2021

  
 \_\_\_\_\_  
 Karen S. Jennemann  
 United States Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
 MIDDLE DISTRICT OF FLORIDA  
 ORLANDO DIVISION  
[www.flmb.uscourts.gov](http://www.flmb.uscourts.gov)

In re ) ) IPS WORLDWIDE, LLC, ) ) Debtor. ) _____ ) ) ALEX D. MOGLIA, TRUSTEE, ) ) Plaintiff, ) ) vs. ) ) COBB & COLE, P.A., and JOHN P. ) FERGUSON, ) ) Defendants. ) _____ )	Case No. 6:19-bk-00511-KSJ Chapter 11  Adversary No. 6:21-ap-00046-KSJ
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**ORDER DENYING DEFENDANTS’ MOTION TO DISMISS**

This proceeding came on for hearing on July 15, 2021, on the Motion to Dismiss Adversary Proceeding (Doc. No. 18) (“Motion”) filed by Defendants, Cobb & Cole, P.A., and John P. Ferguson. After reviewing the Motion, Plaintiff’s Response,<sup>1</sup> and the record, the Court finds the Motion should be denied at this early stage in the

<sup>1</sup> Plaintiff’s Response to Defendants’ Motion to Dismiss. Doc. No. 28.

litigation between these parties, when discovery has not started and factual disputes preclude dismissal when the issues are not fully framed. Accordingly, it is

**ORDERED:**

1. The Motion (Doc. No. 18) is **DENIED**, without prejudice to any party raising the legal issues by summary judgment or trial.
2. Defendants are directed to answer the complaint by **October 8, 2021**.
3. A continued pretrial conference by video via ZOOM is scheduled for **10:15 a.m. on October 14, 2021**, in Courtroom A, Sixth Floor, 400 West Washington Street, Orlando, Florida 32801.

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Attorney Paul Battista is directed to serve a copy of this order on interested parties who are non-CM/ECF users and file a proof of service within 3 days of entry of the order.