

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 18-24933-CIV-ALTONAGA/Goodman

PATRICIA MELLNITZ,

Plaintiff,

v.

CARNIVAL CORPORATION, *et al.*,

Defendants.

ORDER

THIS CAUSE came before the Court at an April 15, 2019 Hearing [ECF No. 43] on Defendants' Joint Motion to Dismiss Plaintiff's Complaint and Demand for Jury Trial [ECF No. 31]. The Court has carefully considered the record; the parties' written submissions, including the Motion, Plaintiff's Response in Opposition [ECF No. 36], Defendants' Reply [ECF No. 41]; the arguments presented at the Hearing, and applicable law.

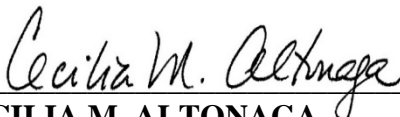
For the reasons stated in open court, it is

ORDERED AND ADJUDGED that Defendants' Joint Motion to Dismiss Plaintiff's Complaint and Demand for Jury Trial [ECF No. 31] is **GRANTED in part** as follows:

1. The Motion is **GRANTED** as to Counts I, II, III, V, and VII. Those counts are **DISMISSED without prejudice**.
2. The Motion is **GRANTED** as to Count VIII. That count is **DISMISSED with prejudice**.
3. The Motion is **DENIED** with respect to Defendant, Sun Bahamas Water Sport's request the Court dismiss it for lack of personal jurisdiction.
4. Plaintiff has until **April 29, 2019** to file an amended complaint.

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DONE AND ORDERED in Miami, Florida, this 16th day of April, 2019.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record