

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

ROBERT L. VAZZO, LMFT, etc., et al.,	)	
	)	
Plaintiffs,	)	
	)	Case No. 8:17-cv-2896-T-02AAS
v.	)	
	)	
CITY OF TAMPA, FLORIDA,	)	
	)	
Defendant.	)	
	)	

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**PLAINTIFFS' CERTIFICATION  
OF CONFERENCE TO NARROW ISSUES FOR SUMMARY JUDGMENT**

Plaintiffs, pursuant to the Court's Case Management and Scheduling Order (Dkt. 183), hereby certify conferral with Defendant (the "City") for the purpose of narrowing the factual issues in dispute, as follows:

1. Plaintiffs' undersigned counsel conferred with the City's counsel several times during the week of August 19, 2019, for the purpose of narrowing the factual issues in dispute.
2. Plaintiffs proposed obviating the City's challenge to the standing of Plaintiff David H. Pickup, LMFT, by dismissing Pickup's claims against Defendant. However, pursuant to Rule 41(a), Fed. R. Civ. P., Pickup's claims may only be dismissed by stipulation or Court order because the City has filed an answer.
3. The undersigned Plaintiffs' counsel was advised by the City's counsel that, due to the unavailability of a key City representative last week, the City's counsel was unable to stipulate to the dismissal of Pickup's claims at this time, or to state the City's position on a motion to voluntarily dismiss Pickup's claims. Accordingly, Plaintiffs will seek the City's stipulation to dismissal of Pickup's claims, or move for voluntary dismissal, at such time as the City is able to

stipulate or otherwise state its position on the matter, which is expected to be during the week of August 26, 2019. In the meantime, Plaintiffs' forthcoming motion for summary judgment will be made by only Plaintiffs Robert L. Vazzo, LMFT, individually and on behalf of his patients, and Soli Deo Gloria International, Inc. d/b/a New Hearts Outreach Tampa Bay, individually and on behalf of its members, constituents, and clients.

4. Plaintiffs and the City were otherwise unable to agree on a narrowing of the factual issues in dispute.

Respectfully submitted,

/s/ Roger K. Gannam  
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**CERTIFICATE OF SERVICE**

I hereby certify that on this August 26, 2019, I caused a true and correct copy of the foregoing to be filed electronically with the Court's CM/ECF system. Service upon all counsel of record will be effectuated by the Court's electronic notification system.

/s/ Roger K. Gannam  
Roger K. Gannam  
*Attorney for Plaintiffs*