

**U.S. District Court
Southern District of Florida (Miami)
CIVIL DOCKET FOR CASE #: 1:25-cv-23681-KMW**

POLANCO v. HOLIDAY CVS, LLC
Assigned to: Judge Kathleen M. Williams
Referred to: Magistrate Judge Enjolique A. Lett
Case in other court: 11th Judicial Circuit in and for Miami-Dade
County, 25-011994-CA-01
Cause: 28:1332 Diversity-Personal Injury

Date Filed: 08/15/2025
Jury Demand: Defendant
Nature of Suit: 360 P.I.: Other
Jurisdiction: Diversity

Plaintiff

MICHAEL EMILIO POLANCO

represented by **MICHAEL EMILIO POLANCO**
5621 Hope Street
Hollywood, FL 33021
754-298-8691
PRO SE

Lianibet Morejon
15853 SW 71 ST
Miami, FL 33193
7863441576
Email: Lmorejon@wolfsonlawfirm.com
TERMINATED: 10/06/2025
ATTORNEY TO BE NOTICED

Matthew Forrester
Wolfson and Leon
3399 S.W. 3rd Avenue
Miami, FL 33145
(305) 285-1115
TERMINATED: 10/06/2025
ATTORNEY TO BE NOTICED

V.

Defendant

HOLIDAY CVS, LLC

represented by **Jacob J Liro**
Wicker, Smith, O'Hara, McCoy & Ford,
P.A.
2800 Ponce De Leon Blvd, Suite 800
Coral Gables, FL 33134
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LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Michael Leonard McCoy
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Email: mmccoy@wickersmith.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
11/12/2025	24	PAPERLESS ORDER. THIS MATTER is before the Court <i>sua sponte</i> . It is ORDERED AND ADJUDGED that on or before December 1, 2025 , the Parties shall file their notice of mediation in compliance with the Court's Scheduling Order (DE 14). Signed by Judge Kathleen M. Williams on 11/12/2025. (ah06) (Entered: 11/12/2025)
11/12/2025	23	ORDER granting 21 Motion for Referral to Volunteer Attorney Program. The Clerk of Court is DIRECTED to mail a copy of this Order to Plaintiff. Signed by Judge Kathleen M. Williams on 11/12/2025. <i>See attached document for full details.</i> (ah06) (Entered: 11/12/2025)
10/31/2025	22	PAPERLESS ORDER striking 20 Motion to provide additional statements. Should Plaintiff wish to amend his original Complaint to include additional factual allegations, he must file an appropriate motion for leave to amend pursuant to Federal Rule of Civil Procedure 15. Signed by Judge Kathleen M. Williams on 10/31/2025. (ah06) (Entered: 10/31/2025)
10/30/2025	21	MOTION for Volunteer Counsel by MICHAEL EMILIO POLANCO. (nan) (Entered: 10/31/2025)
10/30/2025	20	STRICKEN Plaintiff's Pro se MOTION to Provide Additional Statements in Support of State Court Complaint re 1 Notice of Removal (State Court Complaint),, by MICHAEL EMILIO POLANCO. (nan) Modified text Per DE# 22 on 10/31/2025 (nan). (Entered: 10/31/2025)
10/10/2025	19	NOTICE of Compliance by MICHAEL EMILIO POLANCO (Morejon, Lianibet) (Entered: 10/10/2025)
10/10/2025		(Morejon, Lianibet) (Entered: 10/10/2025)
10/06/2025	18	PAPERLESS ORDER granting 17 Second Unopposed Motion to Withdraw as Attorney for Michael Polanco. Attorneys Matthew Forrester and Lianibet Morejon are withdrawn as counsel for Plaintiff Michael Polanco. By November 5, 2025 , Plaintiff Michael Polanco shall retain new counsel and said counsel shall file a notice of appearance, or Plaintiff Michael Polanco shall file a notice advising if he intends to proceed <i>pro se</i> and represent himself. Plaintiff's current counsel shall make all reasonable efforts (e.g., standard mail, email, attachment to a text, overnight mail, etc.) to forward a copy of this Order to Plaintiff.

		Plaintiff's current counsel shall file a notice of compliance by October 8, 2025 , advising of the efforts to serve a copy of the Order on Plaintiff. Upon the filing of their notice of compliance on CM/ECF, Matthew Forrester, Esq. and Lianibet Morejon, Esq., and the law firm of Wolfson and Leon will be relieved of any further representation of Plaintiff in this matter. Signed by Magistrate Judge Enjolique A. Lett on 10/6/2025. (EAL) (Entered: 10/06/2025)
10/06/2025	<u>17</u>	Unopposed MOTION to Withdraw as Attorney by Lianibet Morejon for / by MICHAEL EMILIO POLANCO. Responses due by 10/20/2025. (Morejon, Lianibet) (Entered: 10/06/2025)
09/23/2025	16	PAPERLESS ORDER. THIS MATTER is before the Court on the Second Unopposed Motion to Withdraw as Attorney for Plaintiff's ("Motion to Withdraw") [ECF No. 15]. Upon review of the Motion and the record, it is ORDERED AND ADJUDGED that Plaintiff's Motion to Withdraw is DENIED WITHOUT PREJUDICE for the second time for failure to meaningfully comply with Southern District of Florida Local Rule 7.1. See S.D. Fla. L.R. 7.1(a)(2). Specifically, Local Rule 7.1(a)(2), in pertinent part, requires "counsel for the movant [to] confer (orally or in writing), or make reasonable effort to confer (orally or in writing), with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve by agreement the issues to be raised in the motion... At the end of the motion, and above the signature block, counsel for the moving party shall certify either: (A) that counsel for the movant has conferred with all parties or non-parties who may be affected by the relief sought in the motion in a good faith effort to resolve the issues raised in the motion and has been unable to do so; or (B) that counsel for the movant has made reasonable efforts to confer with all parties or non-parties who may be affected by the relief sought in the motion, which efforts shall be identified with specificity in the statement (including the date, time, and manner of each effort), but has been unable to do so." Now that the Court has set forth the requirements of Local Rule 7.1(a)(2), it expects compliance therewith if another such motion is filed. Signed by Magistrate Judge Enjolique A. Lett on 9/23/2025. (EAL) (Entered: 09/23/2025)
09/23/2025	<u>15</u>	Plaintiff's MOTION to Withdraw as Attorney by Lianibet Morejon for / by MICHAEL EMILIO POLANCO. Responses due by 10/7/2025. (Morejon, Lianibet) (Entered: 09/23/2025)
09/11/2025	<u>14</u>	SCHEDULING ORDER: Jury Trial set for 9/21/2026 in Miami Division before Judge Kathleen M. Williams. Calendar Call set for 9/15/2026 11:00 AM in Miami Division before Judge Kathleen M. Williams. Signed by Judge Kathleen M. Williams on 9/11/2025. <i>See attached document for full details.</i> (nan) <u>Pattern Jury Instruction Builder - To access the latest, up to date changes to the 11th Circuit Pattern Jury Instructions go to https://pji.ca11.uscourts.gov or click here.</u> (Entered: 09/12/2025)
09/10/2025	<u>13</u>	RESPONSE TO ORDER TO SHOW CAUSE re 11 Order to Show Cause,,, by HOLIDAY CVS, LLC. (Liro, Jacob) (Entered: 09/10/2025)
09/10/2025	<u>12</u>	Joint SCHEDULING REPORT - Rule 16.1 by HOLIDAY CVS, LLC (Attachments: # <u>1</u> Text of Proposed Order Schedule Jointly Proposed by the Parties)(Liro, Jacob) (Entered: 09/10/2025)

09/05/2025	11	PAPERLESS ORDER TO SHOW CAUSE. THIS MATTER is before the Court <i>sua sponte</i> . On August 18, 2025, the Court issued an Order of Referral and Notice of Court Practice and Procedures in Removal Cases (DE 3) requiring that " WITHIN FOURTEEN (14) DAYS from the date of this Order, the Parties shall file a joint conference report and a joint proposed scheduling order, as required by S.D. Fla. Local Rule 16(b)." To date, the Parties have failed to file a joint conference report, joint proposed scheduling report, or a motion for extension of time to do so. Accordingly, it is ORDERED AND ADJUDGED that the Parties shall SHOW CAUSE by September 10, 2025 , why sanctions should not be imposed for failure to comply with a Court Order. Signed by Judge Kathleen M. Williams on 9/5/2025. (ah06) (Entered: 09/05/2025)
09/04/2025	10	PAPERLESS ORDER. THIS MATTER is before the Court on Plaintiff's Unopposed Motion to Withdraw (DE 9) ("Motion"). Upon review of the Motion and the record, it is ORDERED AND ADJUDGED that Plaintiff's Motion (DE 9) is DENIED WITHOUT PREJUDICE for failure to meaningfully comply with Southern District of Florida Local Rule 7.1. <i>See</i> S.D. Fla. L.R. 7.1(a)(2). Signed by Judge Kathleen M. Williams on 9/4/2025. (ah06) (Entered: 09/04/2025)
09/04/2025	9	Unopposed MOTION to Withdraw as Attorney by Lianibet Morejon for / by MICHAEL EMILIO POLANCO. Responses due by 9/18/2025. (Morejon, Lianibet) (Entered: 09/04/2025)
09/03/2025	8	NOTICE of Attorney Appearance by Lianibet Morejon on behalf of MICHAEL EMILIO POLANCO. Attorney Lianibet Morejon added to party MICHAEL EMILIO POLANCO(pty:pla). (Morejon, Lianibet) (Entered: 09/03/2025)
08/28/2025	7	STATUS REPORT of Removal by HOLIDAY CVS, LLC (Liro, Jacob) (Entered: 08/28/2025)
08/22/2025	6	<i>Defendant's</i> ANSWER and Affirmative Defenses to Complaint re the Notice of Removal with Jury Demand by HOLIDAY CVS, LLC. (Liro, Jacob) (Entered: 08/22/2025)
08/19/2025	5	Bar Letter re: Admissions sent to attorney Matthew Forrester, mailing date August 19, 2025, (idz) (Entered: 08/19/2025)
08/19/2025	4	ORDER SETTING DISCOVERY PROCEDURES Signed by Magistrate Judge Enjolique A. Lett on 8/19/2025. <i>See attached document for full details.</i> (mwn) (Entered: 08/19/2025)
08/18/2025	3	ORDER OF REFERRAL AND NOTICE OF COURT PRACTICES AND PROCEDURES IN REMOVAL CASES. ORDER REFERRING CASE to Magistrate Judge Enjolique A. Lett for Pretrial Non-Dispositive Matters. Notice of Court Practice. Signed by Judge Kathleen M. Williams on 8/18/2025. <i>See attached document for full details.</i> (nan) (Entered: 08/18/2025)
08/15/2025	2	Clerks Notice of Judge Assignment to Judge Kathleen M. Williams. Pursuant to 28 USC 636(c), the parties are hereby notified that the U.S. Magistrate Judge Enjolique A. Lett is available to handle any or all proceedings in this case. If agreed, parties should complete and file the Consent form found on our website. It is not necessary to file a document indicating lack of consent. (nan) (Entered: 08/18/2025)

08/15/2025	1	NOTICE OF REMOVAL (STATE COURT COMPLAINT - Complaint) Filing fee \$ 405.00 receipt number AFLSDC-18706898, filed by HOLIDAY CVS, LLC. (Attachments: # 1 Exhibit 1 - Composite Exhibit - State Court Complaint & Other State Court Documents, # 2 Exhibit 2 - Plaintiff's Demand Letter, # 3 Exhibit 3 - CVS Annual Report 2025, # 4 Exhibit 4 - Notice of Filing Notice of Removal, # 5 Federal Civil Cover Sheet. No Answer/Motion to Dismiss filed.)(Liro, Jacob) Modified Attachment Descriptions on 8/18/2025 (nan). (Entered: 08/15/2025)
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