

**IN THE CIRCUIT COURT OF THE 16TH JUDICIAL CIRCUIT OF
THE STATE OF FLORIDA IN AND FOR MONROE COUNTY**

Case No.: **2024-CA-515-K**

JESSICA COOPER and MICHAEL COOPER,
Individually, and as Natural Parents and Guardians
of GRADY COOPER, a minor,

Plaintiffs,

v.

STANLEY SANTIAGO, M.D.,
STANLEY SANTIAGO, M.D., LLC,
KEY WEST HMA PHYSICIAN MGMT, LLC
D/B/A KEYS MEDICAL GROUP,
KEY WEST HMA LLC d/b/a LOWER KEYS
MEDICAL CENTER

Defendants.


**ORDER DENYING PLAINTIFFS' MOTION TO
STRIKE CERTAIN AFFIRMATIVE DEFENSES**

THIS CAUSE having come before the Court upon Plaintiffs' Motion to Strike Certain Affirmative Defenses filed on November 21st, 2024, and the Court, having considered said Motion and the Response thereto, and being otherwise fully advised in the premises, it is hereby:

Ordered and Adjudged:

1. The outcome of the motion is solely dependent on the construction of the statute involved (commonly known as HB 837). The issue is whether the statute applies, and that issue is resolved based on when the case was filed. The language of the statute is clear that it applies to cases **filed** after the effective date of the Act (March 24, 2023). The instant case was filed May 28, 2024.
2. The Motion to Strike Certain Affirmative Defenses is **DENIED**.

DONE and ORDERED in Monroe County, Florida this, Wednesday, February 26, 2025.



Handwritten signature of Timothy Koenig in black ink, written over a horizontal line.

Judge Timothy Koenig, Circuit Judge

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