

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

SPORT & WHEAT, CPA, PA,

Plaintiff,

v.

Case No. 3:20cv5425-TKW-HTC

SERVISFIRST BANK, INC., et al.,

Defendants.

**ORDER DENYING LEAVE TO AMEND
AND DISMISSING CASE WITH PREJUDICE**

This case is before the Court on Plaintiff's motion for leave to amend the complaint (Doc. 89) and Defendants' responses in opposition (Docs. 91, 92). Upon due consideration of these filings and the proposed second amended complaint (Doc. 90), the Court finds that the motion to amend is due to be denied because the proposed amendment would be futile. Accordingly, it is

ORDERED that the motion for leave to amend the complaint is **DENIED**, this case is **DISMISSED with prejudice**, and the Clerk shall close the file.

DONE and ORDERED this 4th day of September, 2020.

T. Kent Wetherell, II

**T. KENT WETHERELL, II
UNITED STATES DISTRICT JUDGE**