

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

IN RE:

MAD TOYZ III, LLC AND
JEFFREY KNIGHT AS THE OWNERS Case. No. 8:25-cv-1914-KKM-TGW
OF A 2018 38' STATEMENT
380 OPEN MOTORBOAT BEARING
HULL IDENTIFICATION NUMBER
STTEB112L718, HER ENGINES,
TACKLE, AND APPURTENANCES.

Petitioners.

**ORDER¹ ON MOTIONS TO STRIKE
“IMMATERIAL” OR “SCANDALOUS” ALLEGATIONS**

On April 27, 2025, a 2018 38-foot Statement 380 Open Motorboat (the “Vessel”) owned and operated by Petitioners collided with the ferry boat, *Maddie’s Crossing*. Petition (Doc. 1). On July 21, 2025, Petitioners Mad Toyz and Jeffrey Knight filed this admiralty action, seeking exoneration from, or limitation of, liability for the accident. Doc. 1. Numerous claims have been filed against Petitioners, alleging Knight’s negligent operation of the vessel and

¹ The motion seeks to strike only statements, not claims, and is thus not a dispositive motion. A motion to strike also is not among the type of motions set forth in 28 U.S.C. § 636(b)(1)(A). A magistrate judge therefore may properly resolve the motion by order. 28 U.S.C. § 636(b)(1)(A); Fed. R. Civ. P. 72(a); see *Bennett v. Gen. Caster Serv. of N. Gordon Co.*, 976 F.2d 995, 997 (6th Cir. 1992) (recognizing an order to strike as dispositive where it disposes of a party’s claims or defenses).

Mad Toyz' negligent entrustment of the vessel to Knight. Some of the claims against Petitioners include factual allegations concerning Knight's statements and actions following the accident and concerning Knight's prior alleged malfeasance in operating vessels or vehicles. *See* Docs. 40, 81.

Petitioners move to strike these allegations, arguing that they are "scandalous" and "immaterial" and designed only to impugn Knight's character. Docs. 97, 146. Claimants argue that the allegations are relevant to this action. Doc. 132. Specifically, claimants offer Knight's statements and actions after the crash as evidence that, among other things, Knight believed himself liable for the crash. *Id.* pp. 4, 8. Knight's history of operating vessels and vehicles appears to be offered to suggest that Knight lacked the requisite knowledge to properly operate the vessel and that Mad Toyz negligently entrusted the vessel to him. *Id.* pp. 4–5, 10.

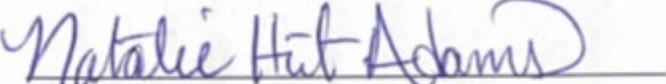
Rule 12(f) provides that a "court may strike from a pleading an insufficient defense or any redundant, immaterial, impertinent, or scandalous matter." FED. R. CIV. P. 12(f). "[A] Rule 12(f) motion should be granted only when the pleading to be stricken has no possible relation to the controversy because Rule 12(f) is a drastic remedy to be resorted to only when required for the purposes of justice." *United States ex rel Sedona Partners LLC v. Able Moving & Storage Inc.*, 146 F.4th 1032, 1044–45 (11th Cir. 2025) (internal

quotations and citations omitted) (finding the district court abused its discretion in striking allegations).

The claimants have proffered bases on which their allegations would be pertinent to their claims against Petitioners. Thus, the Court cannot find that the purposes of justice require the drastic remedy of striking the allegations. To the extent Petitioners seek to exclude the evidence from the ultimate concursus, motions to strike are not the proper vehicle for requesting that relief.

The motions to strike (Docs. 97, 146) are DENIED WITHOUT PREJUDICE. Should Petitioners later prevail on a motion in limine to exclude evidence associated with the allegations, and should the Court grant a motion for an advisory jury, Petitioners may renew their motions to strike.

ORDERED on December 10, 2025.



NATALIE HIRT ADAMS
United States Magistrate Judge

for Thomas G. Wilson, United States Magistrate Judge