

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION**

PALM BEACH VACATION OWNERS ASSOCIATION, INC., <i>et al.</i>, Plaintiffs,)	
)	
)	
vs.)	CIVIL ACTION NO. 12-00027-KD-B
)	
ESCAPES!, INC., <i>et al.</i>, Defendants.)	

ORDER

After due and proper consideration of all portions of this file deemed relevant to the issues raised, and there having been no objections filed, the recommendation of the Magistrate Judge made under 28 U.S.C. § 636(b)(1)(B) and dated September 17, 2012 (Doc. 96), as clarified by the Magistrate Judge's Order dated October 15, 2012 (Doc. 100), is **ADOPTED** as the opinion of this Court. Accordingly, it is **ORDERED** that:

1. Plaintiff Palm Beach Condominium Owners Association, Inc.'s remaining claims against Defendants Dan Lombard, Kent Burger, Neff Basore and Vacation Rentals, Inc. are **dismissed with prejudice**;
2. Plaintiff Palm Beach Condominium Owners Association, Inc.'s claim against Defendant Escapes! Property Management, LLC for breach of contract based on the Escapes! Property Management, LLC/Palm Beach Vacation Owners Association, Inc. agreement is **dismissed with prejudice**; and
3. all of Plaintiff Palm Beach Condominium Owners Association, Inc.'s remaining claims are referred to arbitration in accordance with the terms of the relevant arbitration agreement.

Accordingly, this action is **STAYED** in its entirety pending resolution of the arbitration

proceedings,¹ and the Clerk of this Court is **DIRECTED** to close this file for statistical purposes. The parties are **DIRECTED** to file a second, joint Status Report in this case no later than **Friday, January 18, 2013**.

DONE and ORDERED this the **18th** day of **October 2012**.

/s/ Kristi K DuBose
KRISTI K. DuBOSE
UNITED STATES DISTRICT JUDGE

¹ All proceedings by Plaintiffs Palm Beach Vacation Owners Association, Inc., John Pope, and Natalie Bobsin have previously been stayed pending arbitration. (Doc. 71 at 8).