

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FT. MYERS DIVISION**

TERI RICHARDS, on her own behalf and  
others similarly situated,

Plaintiff,

v.

Case No: 2:09-cv-48-FtM-36DNF

BARONY HOMES, INC., a Florida  
corporation, MICHAEL DONNELLY,

Defendants.

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**ORDER**

**THIS CAUSE** came on for consideration upon the Report and Recommendation of the United States Magistrate Judge Douglas Frazier, filed January 12, 2010 (Doc. 27). In the Report and Recommendation, Judge Frazier recommends that a default be entered against Defendant Michael Donnelly due to his failure to respond to an Order to Show Cause and failure to participate in the preparation of the Case Management Report (Doc. 25).

All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). The Court notes that neither party filed written objections to the Report and Recommendation and the time for filing such objections has expired. After careful consideration of the Report

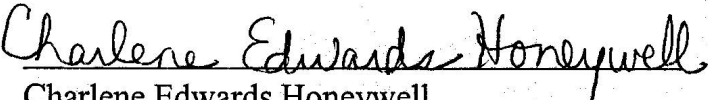
and Recommendation and upon this Court's independent examination of the file, it is determined that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

**ACCORDINGLY**, it is therefore, **ORDERED AND ADJUDGED**:

1. The Report and Recommendation of the Magistrate Judge (Doc. 27) is adopted, approved and incorporated by reference in this Order of the Court for all purposes, including appellate review.

2. The Clerk is directed to enter a default against Michael Donnelly for his failure to comply with the Order to Show Cause and for failing to participate in the preparation of the Case Management Report..

**DONE AND ORDERED** in Ft. Myers, Florida, on February 25, 2010.

  
Charlene Edwards Honeywell  
United States District Judge

**COPIES FURNISHED TO:**

Magistrate Judge Douglas N. Frazier  
Counsel of Record