

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION**

JOHN BURTON, JOANNE BURTON,
WILLIAM P. CONLEN, SHARON K.
GATES, SAMUEL H. KINGSBURY,
MARCIA P. COX, GARRY KUHN,
NANCY MILLER, WILLIAM G. SMITH,
JUDITH SMITH, ORRIS A. RODAHL,
JASON WAVRA, MICHELE WAVRA,
JOHN WAVRA, GALE WAVRA, PAUL
WUENSTEL and KARA WUENSTEL,

Plaintiffs,

v.

Case No: 2:09-cv-682-FtM-99SPC

MICHAEL O. KANE, KANE
PROPERTIES, INC., HOT APPRAISALS,
LLC, ASHLEY SEIBERT, THE
CONSTRUCTION LOAN COMPANY,
INC., NATIONAL CREDIT UNION
ADMINISTRATION BOARD and OHK,
LLC,

Defendants.

ORDER

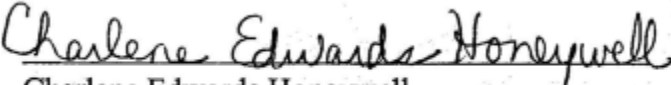
This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Sheri Polster Chappell on November 30, 2012 (Doc. 284). In the Report and Recommendation, Judge Chappell recommends that the Court grant Defendant National Credit Union Administration Board's ("Defendant NCUAB") Motion for Sanctions against Plaintiff Orris Rodahl ("Plaintiff Rodahl") (Doc. 266), and dismiss Plaintiff Rodahl's Complaint for failure to respond to discovery and comply with the Court's orders. Doc. 284, p. 3. No party has objected to the Report and Recommendation and the time to do so has expired.

The Court agrees with the Magistrate Judge that because Plaintiff Rodahl has failed to respond to any of Defendant NCUAB's discovery and has ignored two Orders warning that his failure to respond could lead to dismissal, the recommended sanction is warranted. *Id.*; see *Clove v. Dollar General Store*, 2006 WL 3518563, *2 (M.D. Fla. 2006); Fed. R. Civ. P. 37. Therefore, after careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

Accordingly, it is hereby **ORDERED and ADJUDGED**:

1. The Report and Recommendation of the Magistrate Judge (Doc. 284) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.
2. Defendant National Credit Union Administration Board's Motion for Sanctions against Plaintiff Orris Rodahl (Doc. 266) is **GRANTED**. Plaintiff Orris Rodahl's claims against Defendant National Credit Union Administration Board are **DISMISSED**.

DONE and ORDERED in Orlando, Florida on December 19, 2012.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:
Counsel of Record
Unrepresented Parties
U.S. Magistrate Judge Sheri Polster Chappell