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

ROCHELLE Z. CATZ, Personal Representative of
the Estate of Arthur Lee Coleman,

        Plaintiff,

v.   CASE NO. 2:10-CV-105-FtM-36SPC

UNITED STATES OF AMERICA, SCOTT LEY,
MIKE SCOTT, Sheriff of Lee County, Florida,
TIMOTHY GALLOWAY, ROBERT KREBS,
TIMOTHY McCORMACK, CITY OF FORT
MYERS, a municipality,
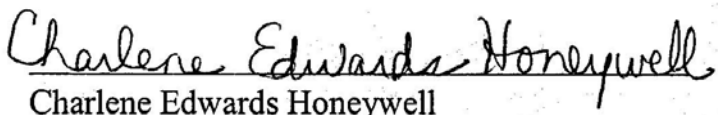
        Defendants.

_____/

ORDER

THIS CAUSE came on for consideration upon the Report and Recommendation filed by

United States Magistrate Sheri Polster Chappell on November 30, 2011 (Dkt. 189), recommending

that the Court deny Plaintiff's Amended Motion to Amend the Complaint and to Modify the Case

Management and Scheduling Order (Dkt. 172). Additionally, the Magistrate Judge recommends

that the Court deny Plaintiff's Motion for Enlargement of the Expert Disclosure Deadline. *Id*. No

party filed an objection to the Report and Recommendation, and the time to do so has expired.

After carefully considering Plaintiff's Motion (Dkt. 172), Defendants' Oppositions to the

Motion (Dkts. 185, 187) and the Magistrate Judge's Report and Recommendation, and undertaking

a *de novo* review of the legal determinations recommended therein, the Court concludes that the

Magistrate Judge's Report and Recommendation should be confirmed and accepted.

ACCORDINGLY, it is now **ORDERED and ADJUDGED** as follows:

1.   The Report and Recommendation of the Magistrate Judge (Dkt. 189) is **ADOPTED, CONFIRMED and APPROVED** in all respects and is made a part of this Order for all purposes, including appellate review.

2.   Plaintiff's Amended Motion to Amend the Complaint and to Modify the Case Management And Scheduling Order (Dkt. 172) is **DENIED**. Additionally, Plaintiff's Motion For Enlargement of Expert Disclosure Deadline (Dkt. 172) is **DENIED.**

DONE AND ORDERED at Ft. Myers, Florida, on December 16, 2011.

Charlene Edwards Honeywell
United States District Judge