

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

TRAVELERS CASUALTY AND SURETY  
COMPANY OF AMERICA, as assignee and  
subrogee of U.S. Protect Corp.,

Plaintiff,

vs.

Case No. 2:10-cv-553-FtM-29SPC

LISA HUDEC, RICHARD S. HUDEC,

Defendants.

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**OPINION AND ORDER**

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #19), filed January 27, 2011, recommending that defendants Lisa Hudec and Richard Hudec's Motion to Dismiss (Doc. #12) be denied. No objections have been filed and the time to do so has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de*

novo, even in the absence of an objection. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

After conducting an independent examination of the file and upon due consideration of the Report and Recommendation, the Court accepts the Report and Recommendation of the magistrate judge.


Accordingly, it is now

**ORDERED:**

1. The Report and Recommendation (Doc. #19) is hereby **adopted**.

2. Defendants Lisa Hudec and Richard Hudec's Motion to Dismiss (Doc. #12) is **DENIED**.

**DONE AND ORDERED** at Fort Myers, Florida, this 23rd day of February, 2011.

  
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**JOHN E. STEELE**  
United States District Judge

Copies:  
Hon. Sheri Polster Chappell  
United States Magistrate Judge

Counsel of Record  
Unrepresented parties