

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

Kevin Calderone,  
George Schwin, Michael  
Zaleski, and Selena Lee,

Civ. No. 2:14-519-FtM-PAM-CM

Plaintiffs,

v.

**ORDER**

Michael Scott,

Defendant.

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This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Carol Mirando dated January 9, 2017. In the R&R, Magistrate Judge Mirando recommends the dismissal of two opt-in Plaintiffs in this conditionally certified class action for failure to comply with Court orders, and to allow one other opt-in Plaintiff to withdraw from the action. No party has objected to the R&R in the time period permitted.

Accordingly, **IT IS HEREBY ORDERED that:**

1. The R&R (Docket No. 133) is **ADOPTED**;
2. Opt-in Plaintiff Samuel Flores may opt out from this action; and
3. Opt-in Plaintiffs Marie E. Langston and Roberto Torres are **DISMISSED** from this litigation for failure to comply with Court orders.

Dated: January 31, 2017

*s/Paul A. Magnuson*  
Paul A. Magnuson  
United States District Court Judge