

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

GLOBAL TECH LED, LLC, a  
Florida limited liability  
company,

Plaintiff,

v.

Case No: 2:15-cv-553-FtM-29CM

HILUMZ INTERNATIONAL CORP.,  
a Georgia corporation,  
HILUMZ, LLC, and HILUMZ USA,  
LLC, a Georgia limited  
liability company,

Defendants/Third  
Party Plaintiffs

JEFFREY J. NEWMAN, GARY K.  
MART, GARY K. MART, JEFFREY  
J. NEWMAN, GARY K. MART and  
JEFFREY J. NEWMAN,

Third Party 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. #124), filed August 28, 2017, recommending that defaults be entered against Hilumz International Corp., Hilumz LLC and Hilumz USA LLC, and that defendants' Second Amended Counterclaims and Third Party Claims Seeking Injunctive Relief be dismissed. 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). 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).

The recommendation comes after defendants/third-party plaintiffs' repeated failure to comply with Orders, and to retain counsel. 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:**

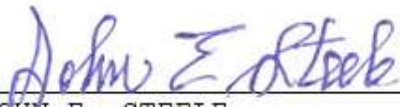
1. The Report and Recommendation (Doc. #124) is hereby **adopted** and the findings incorporated herein.

2. The Clerk shall enter a default against defendants/third-party claimants Hilumz International Corp., Hilumz LLC and Hilumz USA LLC.

3. Defendants' Second Amended Counterclaims and Third Party Claims Seeking Injunctive Relief (Doc. #63) is **DISMISSED** as to all remaining counterclaims<sup>1</sup>, and all third-party claims. The Clerk shall enter judgment dismissing the third-party claims without prejudice and terminate the Third Party Complaint.

4. Plaintiff shall file a motion for default judgment within **THIRTY (30) DAYS** of the entry of the default.

**DONE and ORDERED** at Fort Myers, Florida, this 22nd day of September, 2017.

  
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JOHN E. STEELE  
SENIOR UNITED STATES DISTRICT JUDGE

Copies:  
Hon. Carol Mirando  
United States Magistrate Judge

Counsel of Record  
Unrepresented parties

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<sup>1</sup> On February 14, 2017, the Court dismissed False Ads 4, 5, and 7 in Count I, and Counterclaim Count V with leave to amend. (Doc. #109.)