

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MAYER AMSCHEL  
ROTHSCHILD, and to all others  
similarly situated class action,

Plaintiff,

v.

Case No.: 2:24-cv-301-SPC-KCD

PFIZER CORPORATION, PFIZER  
CORPORATION AND  
PHARMACIA & UPJOHN  
COMPANY INC. PFIZER INC. and  
PHARMACIA & UPJOHN  
COMPANY INC., AND VIATRIS  
INC.,

Defendants.

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**OPINION AND ORDER**

Before the Court is Judge Kyle C. Dudek’s Report and Recommendation (“R & R”). (Doc. 19). Judge Dudek recommends that this action be dismissed. Plaintiff has not objected to the R & R, and the time to do so has expired. The R & R is ripe for review.

After conducting a careful and complete review of the findings and recommendations, a district judge “may accept, reject, or modify, in whole or in part,” a magistrate judge’s R & R. 28 U.S.C. § 636(b)(1)(C). In the absence of specific objections, there is no requirement that a district judge review the

R & R de novo. *See Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). Instead, when parties don't object, a district court need only correct plain error as demanded by the interests of justice. *See, e.g., Symonette v. V.A. Leasing Corp.*, 648 F. App'x 787, 790 (11th Cir. 2016); *Thomas v. Arn*, 474 U.S. 140, 150-52 (1985). Plain error exists if (1) "an error occurred"; (2) "the error was plain"; (3) "it affected substantial rights"; and (4) "not correcting the error would seriously affect the fairness of the judicial proceedings." *Farley v. Nationwide Mut. Ins.*, 197 F.3d 1322, 1329 (11th Cir. 1999).

After careful consideration and an independent review of the case, the Court finds no plain error. So, it accepts and adopts the R & R in full. Accordingly, it is now **ORDERED**:

1. Judge Dudek's Report and Recommendation (Doc. 19) is **ACCEPTED and ADOPTED**, and the findings incorporated herein.
2. This action is **DISMISSED**.
3. The Clerk is **DIRECTED** to any pending motions as moot, terminate all deadlines, and close the case.

**DONE and ORDERED** in Fort Myers, Florida on August 30, 2024.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record