

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

TRANSAMERICA LIFE  
INSURANCE COMPANY,

Plaintiff,

v.

Case No. 3:12-cv-880-J-34PDB

DENISE MARY MCDONALD WADE, et al.,

Defendants.

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**ORDER**

**THIS CAUSE** is before the Court on the Report and Recommendation (Dkt. No. 45; Report), entered by the Honorable Thomas E. Morris, United States Magistrate Judge, on October 11, 2013. In the Report, Magistrate Judge Morris recommends that Plaintiff's Motion to Stay Action as to Plaintiff's Motion for Summary Final Judgment (Dkt. No. 44) be granted and that the Court stay Plaintiff's Motion for Summary Final Judgment on its Complaint for Interpleader (Dkt. No. 40). See Report at 5. No objections to the Report have been filed, and the time for doing so has now passed.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions

de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at \* 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Magistrate Judge's Report and Recommendation (Dkt. No. 45) is **ADOPTED** as the opinion of the Court.

2. Plaintiff's Motion to Stay Action as to Plaintiff's Motion for Summary Final Judgment (Dkt. No. 44) is **GRANTED**.


3. A ruling on Plaintiff's Motion for Summary Final Judgment on Its Complaint for Interpleader (Dkt. No. 40) is **STAYED and DEFERRED** pending final resolution in St. Johns County Probate Court.

4. Plaintiff shall notify the Court within **fourteen days** of final judgment of the St. Johns County Probate Court as to distribution of the Transamerica Annuity, or notify the Court within **fourteen days** if the settlement agreement is not finalized.

5. If the parties are unable to finalize their settlement agreement, Defendants shall respond to Plaintiff's Motion for Summary Judgment (Dkt. No. 40) within **twenty days**.

6. Plaintiff shall file a notice on **January 9, 2014**, and every **thirty days** thereafter advising the Court of the status of this matter.

**DONE AND ORDERED** at Jacksonville, Florida, this 6th day of December, 2013.

  
**MARCIA MORALES HOWARD**  
United States District Judge

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Copies to:

Counsel of Record

Any Unrepresented Party