

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
OCALA DIVISION**

VICTORIA E. RAMPERSAD,

Plaintiff,

v.

Case No: 5:21-cv-248-JSM-PRL

DENLYN, INC., DENNIS MANABAT,  
and HOWARD LEASING, INC.,

Defendants.

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**ORDER**

**THIS CAUSE** came on for consideration upon the Report and Recommendation submitted by Magistrate Judge Philip R. Lammens (Dkt. 34). The Court notes that neither party filed written objections to the Report and Recommendation and the time for filing such objections has elapsed.

After careful consideration of the Report and Recommendation of the Magistrate Judge in conjunction with an independent examination of the file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

**ACCORDINGLY**, it is therefore, **ORDERED AND ADJUDGED**:

1. The Report and Recommendation (Dkt. 34) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.

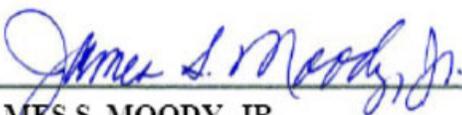
2. Defendant Denlyn, Inc.'s Motion to Dismiss Counts VI and VII of Plaintiff's Amended Complaint (Dkt. 26) is granted in part and denied in part.

3. Count VI of Plaintiff's Amended Complaint is dismissed with prejudice because sexual harassment is not recognized under Florida common law.

4. Count VII is not dismissed because it is sufficiently pled.

5. Defendant Denlyn, Inc. shall file its Answer to the Amended Complaint (Dkt. 19) within fourteen (14) days of this Order.

**DONE** and **ORDERED** in Tampa, Florida, this 9th day of September, 2021.

  
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JAMES S. MOODY, JR.  
UNITED STATES DISTRICT JUDGE

**Copies Furnished To:**  
Counsel/Parties of Record