

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

VIRGINIA LEE and DEAF SERVICE
CENTER OF LAKE AND SUMTER
COUNTY,

Plaintiffs,

-vs-

Case No. 6:09-cv-671-Orl-28GJK

MICHAEL HABASHY, M.D.,

Defendant.

ORDER

This case is before the Court on Plaintiffs' Motion to Strike (Doc. No. 16) filed June 15, 2009. The United States Magistrate Judge has submitted a report recommending that the motion be granted in part and denied in part.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation. Therefore, it is **ORDERED** as follows:

1. That the Report and Recommendation filed September 30, 2009 (Doc. No. 26) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiffs' Motion to Strike (Doc. No. 16) is **GRANTED** as to the Factual Background with the exception of paragraph six (6) on page four (4) and as to the Twelfth and the Fifteenth Affirmative Defenses.
3. Defendant's Third Affirmative Defense is withdrawn.

4. Plaintiffs' Motion to Strike (Doc. No. 16) is otherwise **DENIED**.

DONE and **ORDERED** in Chambers, Orlando, Florida this 26 day of October, 2009.



JOHN ANTOON II
United States District Judge

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party