

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

THOMAS C. MCGILL, VICKIE D.  
MCGILL,

Plaintiffs,

-vs-

Case No. 6:12-cv-1142-Orl-28TBS

IMPAC CMB TRUST SERIES 2007-A,  
CHRISTIANA BAK AND TRUST  
COMPANY, MORTGAGE ELECTRONIC  
REGISTRATION SYSTEMS, INC.  
("MERS"), and IMPAC FUNDING  
CORPORATION,

Defendants.

---

ORDER

This case is before the Court on Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint for Damages (Doc. No. 26) filed January 30, 2013. The United States Magistrate Judge has submitted a report recommending that the motion be granted.


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 April 11, 2013 (Doc. No. 36) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Defendants' Motion to Dismiss Plaintiffs' Second Amended Complaint for Damages (Doc. No. 26) is **GRANTED**. This case is dismissed with prejudice.

3. All pending motions are **DENIED as moot.**

4. The Clerk of the Court is directed to close this file.

**DONE and ORDERED** in Chambers, Orlando, Florida this 9<sup>th</sup> day of May,  
2013.



---

**JOHN ANTOON II**  
United States District Judge

Copies furnished to:

United States Magistrate Judge  
Counsel of Record  
Unrepresented Party