

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

**GAME CRAFT, LLC and SWEENEY
HOLDINGS, LLC,**

Plaintiffs,

v.

Case No: 6:14-cv-243-Orl-41KRS

**VECTOR PUTTING, LLC, MICHAEL
SCHY and DAVID BALBI,**

Defendants.

ORDER

This cause is before the Court on the Motion to Dismiss (Doc. No. 36) filed by Defendant David Balbi on April 14, 2014, and the Motion to Dismiss (Doc. No. 39) filed by Defendant Michael Schy on April 15, 2014. 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. The Report and Recommendation filed June 25, 2014 (Doc. No. 63), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Motions to Dismiss (Doc. Nos. 36 & 39) are hereby **GRANTED** insofar as they seek dismissal of Count I of the Complaint. The Motions are otherwise **DENIED**.
3. Count I of the Complaint is dismissed without prejudice. Plaintiffs may file an amended complaint **on or before Tuesday, August 12, 2014**.

DONE and **ORDERED** in Orlando, Florida on July 29, 2014.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties