

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

**RAHMATULLAH MAYAN,**

**Plaintiff,**

**v.**

**Case No: 6:15-cv-2183-Orl-18TBS**

**ZARGHEE MAYAN, SOHAIL MAYAN  
and 786-ZZPA, INC.,**

**Defendants.**

---

**ORDER**

This cause came on for consideration on Defendants' Motion for Order to Show Cause (Doc. 72), which the Court referred to United States Magistrate Judge Thomas B. Smith for a Report and Recommendation. On July 10, 2017, the Magistrate Judge issued a Report and Recommendation (Doc. 81). Having reviewed the Report and Recommendation (Doc. 81), and there being no timely objections filed, it is hereby **ORDERED** and **ADJUDGED** as follows:

1. United States Magistrate Judge Thomas B. Smith's Report and Recommendation (Doc. 81) is **APPROVED** and **ADOPTED** and is made part of this Order for all purposes, including appellate review.

2. Defendants' Motion for Order to Show Cause (Doc. 72) is **GRANTED in part**, and **DENIED in part**, as follows:

a. Plaintiff Rahmatullah Mayan's Second Amended Complaint (Doc. 21) is **DISMISSED without prejudice**.

b. Plaintiff Rahmatullah Mayan's Answer to the Counterclaim (Doc. 52) is **STRICKEN**, and the Clerk of Court is **DIRECTED** to enter default against Plaintiff Rahmatullah Mayan.

c. Defendants are **AWARDED** \$1,995.00 in attorneys' fees and \$75.00 for the court reporter fee, pursuant to Rule 37.

d. Defendants' Counterclaim and Third-Party Complaint (Doc. 32) are **DISMISSED**, without prejudice to their timely re-filing in state court.

e. The Clerk of Court is directed to **CLOSE** the file.

**DONE AND ORDERED** in Orlando, Florida, this 3 day of August, 2017.



---

**G. KENDALL SHARP**  
SENIOR UNITED STATES DISTRICT JUDGE

Copies to:

Counsel of Record  
Unrepresented Parties