

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

HISCOX INSURANCE COMPANY,
INC.,

Plaintiff,

v.

Case No: 6:16-cv-426-Orl-40GJK

REVIVE ATHLETICS, INC.,

Defendant.

_____ /

ORDER

This cause is before the Court on Plaintiff's Motion for Default Against Defendant Revive Athletics, Inc. (Doc. 13) filed on January 11, 2017. 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 April 18, 2017 (Doc. 16), is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Motion for Default Against Defendant Revive Athletics, Inc. (Doc. 13) is **GRANTED IN PART AND DENIED IN PART.**

3. The Court **FINDS** that the Commercial General Liability Policy (UDC-1644906-CGL-15) and the Professional Liability Policy (UDC-1644906-EO-15) do not

provide coverage for the loss referred to in Defendant's loss notification form attached to the Amended Complaint as Doc. 6-9.

4. The motion is otherwise **DENIED**.

5. The Clerk is **DIRECTED** to issue a declaratory judgment accordingly and close the file.

DONE AND ORDERED in Orlando, Florida on May 11, 2017.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties