UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

HALLMARK INSURANCE COMPANY,

Plaintiff,

v.

Case No. 6:16-cv-2063-Orl-37GJK

MAXUM CASUALTY INSURANCE COMPANY,

Defendant.

<u>ORDER</u>

This matter is before the Court on the following matters: (1) Plaintiff's Motion to Extend All Deadlines and Continue Trial Date and Incorporated Memorandum of Law (Doc. 71); (2) Maxum's Opposition to Hallmark's Motion to Extend All Deadlines and Continue Trial Date and Incorporated Memorandum of Law (Doc. 79); (3) U.S. Magistrate Judge Gregory J. Kelly's Report and Recommendation (Doc. 95 ("R&R")); and (4) the parties' Joint Notice of No Objection (Doc. 96).

LEGAL STANDARDS

When written objections to the proposed findings and recommendations in a magistrate judge's report and recommendation are filed, the district court must make a de novo determination of the portions of the report to which an objection is made. 28 U.S.C. § 636(b)(1). But when the litigants have no specific objections, the district court reviews the report and recommendation for clear error. *See Garvey v. Vaugh*, 993 F.2d 776, 779 n.9 (11th Cir. 1993); *Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ,

2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016). Ultimately, the district court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1)(C).

DISCUSSION

On August 2, 2017, Plaintiff filed a motion requesting that all of the deadlines currently set in this action (*see* Docs. 33, 55) be extended by ninety days (Doc. 71 ("Motion")). On referral, U.S. Magistrate Judge Gregory J. Kelly ("Judge Kelly") conducted a hearing on September 13, 2017, to address discovery and scheduling issues ("Hearing"). (Doc. 94.) In accordance with the parties' representations at the Hearing, Judge Kelly recommended in his R&R that the Motion be granted in part and denied in part. (Doc. 95.) Specifically, the R&R recommends that: (1) the Court extend the current deadlines by one month; (2) two deposition be conducted every week; and (3) the parties file joint weekly status reports. (Doc. 95, p. 2.)

On September 15, 2017, the parties filed a joint notice that they have no objections to the R&R. (Doc. 96.) Given the absence of objections, the Court has reviewed the R&R for clear error, and the Court has found none. As such, the R&R is due to be adopted in its entirety.

CONCLUSION

Upon consideration, **IT IS ORDERED** that:

(1) U.S. Magistrate Judge Gregory J. Kelly's Report and Recommendation (Doc. 95) is **ADOPTED**, **CONFIRMED**, and made part of this Order.

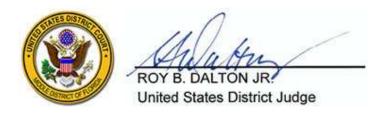
- (2) Plaintiff's Motion to Extend All Deadlines and Continue Trial Date and Incorporated Memorandum of Law (Doc. 71) is **GRANTED IN PART AND DENIED IN PART**.
- (3) The current deadlines are extended by one month as set forth in the following table:

<u>Event</u>	<u>Deadline</u>
Plaintiff's Expert Witness Disclosures	September 29, 2017
Defendant's Expert Witness Disclosures	October 27, 2017
Completion of Discovery	November 13, 2017
Summary Judgment & Daubert	December 13, 2017
A Single Motion in Limine & any other Non-Dispositive Motions	March 22, 2018
Pre-Trial Meeting (In Person)	April 2, 2018
Joint Final Pre-Trial Statement ("PTS") *Case Completely Prepared for Trial*	April 9, 2018
Final Pre-Trial Conference	April 19, 2018
Submission of Trial Materials (including Deposition Designations and Revised Witness Lists, Exhibit Lists, Voir Dire Questions, and Jointly Proposed Jury Instructions and Verdict Form)	April 26, 2018
Commencement of Jury Trial Term	May 7, 2018

(4) The parties are **DIRECTED** to conduct two depositions per week.

(5) The parties are **DIRECTED** to file joint weekly status reports every Friday informing the Court of the progress of discovery. The first joint weekly status report is due to be filed on **September 22, 2017**.

DONE AND ORDERED in Orlando, Florida, this 18th day of September, 2017.



Copies to:

Counsel of Record