

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.

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**ORDER**

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. Vaughn*, 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 ( <b>In Person</b> )  | April 2, 2018      |
| Joint Final Pre-Trial Statement (" <b>PTS</b> ")<br>*Case Completely Prepared for Trial*  | April 9, 2018      |
| Final Pre-Trial Conference  | April 19, 2018     |
| <b>Submission of Trial Materials</b> (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.



  
ROY B. DALTON JR.  
United States District Judge

Copies to:

Counsel of Record