

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

SURGERY CENTER OF VIERA, LLC,

Plaintiff,

v.

Case No: 6:17-cv-754-Orl-40TBS

SOUTHEASTERN SURVEYING AND
MAPPING CORPORATION, BLUE
CROSS AND BLUE SHIELD OF
FLORIDA, INC., JAMES PETERSEN
and SOUTHEASTERN SURVEYING
AND MAPPING WELFARE PLAN,

Defendants.

ORDER

This cause is before the Court on Defendants' Motion to Dismiss Amended Complaint (Doc. 28) filed on September 29, 2017. The United States Magistrate Judge has submitted a report recommending that the motion be granted.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed¹, 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 January 31, 2018 (Doc. 53), is **ADOPTED** and **CONFIRMED** and made a part of this Order.

¹ Copies were mailed to one of Plaintiff's counsel, Thomas Loucks, however, an additional three days under Fed. R. Civ. P. 6(e) is not necessary as Plaintiff's remaining counsel received electronic notice.

2. Defendants' Motion to Dismiss Amended Complaint (Doc. 28) is **GRANTED**.

3. The Amended Complaint (Doc. 20) is **DISMISSED with prejudice**.

4. The Clerk is **DIRECTED** to close the file.

DONE AND ORDERED in Orlando, Florida on February 15, 2018.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties