

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

J.P.F.D. INVESTMENT
CORPORATION,

Plaintiff,

v.

Case No: 6:17-cv-1415-Orl-40GJK

UNITED SPECIALTY INSURANCE
COMPANY,

Defendant.

ORDER

This cause is before the Court on Defendant's Motion to Compel Compliance with Appraisal and to Abate Action, or in the Alternative, Motion to Dismiss Plaintiff's Complaint (Doc. 11) filed on August 11, 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 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 September 29, 2017 (Doc. 24), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Motion to Compel Compliance with Appraisal and to Abate Action, or in the Alternative, Motion to Dismiss Plaintiff's Complaint (Doc. 11) is **GRANTED**.
3. The parties are **DIRECTED** to immediately obtain an appraisal in the manner prescribed in the Policy.

4. The Clerk is **DIRECTED** to stay the case pending the parties' appraisal.
5. The parties are **DIRECTED** to promptly dismiss this action should the appraisal resolve their dispute. Alternatively, the parties are **DIRECTED** to file a joint status report on or before November 17, 2017.
6. Defendant's Motion for Preliminary Pre-Trial Conference (Doc. 22) is **DENIED AS MOOT.**

DONE AND ORDERED in Orlando, Florida on October 17, 2017.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties