

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
ORLANDO DIVISION

DEBORAH L. GALLAHER; and KEVIN  
JOHN GALLAHER,

Plaintiffs,

v.

Case No. 6:18-cv-34-Orl-37TBS

DEUTSCHE BANK NATIONAL TRUST  
COMPANY; ESTATES AT ALOMA  
WOODS HOMEOWNERS  
ASSOCIATION, INC.; SHELLPOINT  
MORTGAGE SERVICING; and SELECT  
PORTFOLIO SERVICING INC.,

Defendants.

---

**ORDER**

Before the Court is Plaintiffs' Agreed Motion to Drop Defendants Deutsche Bank National Trust Company, Shellpoint Mortgage Servicing, and Select Portfolio Servicing Inc. with Prejudice (collectively, "**Defendants**") pursuant to Federal Rule of Civil Procedure 21. (Doc. 85 ("**Motion**").) As grounds, the parties represent that they have reached a confidential settlement. (*Id.* at 1.) On referral, U.S. Magistrate Judge Thomas B. Smith recommends that the Court grant the Motion and drop Defendants from this action. (Doc. 91 ("**R&R**").)

No party objected to the R&R, and the time for doing so has now passed. Absent objections, the Court has examined the R&R only for clear error. *See 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); *see*

*also Marcort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding no clear error, the Court concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Thomas B. Smith's Report and Recommendation (Doc. 91) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. Plaintiffs' Agreed Motion to Drop Defendants Deutsche Bank National Trust Company, Shellpoint Mortgage Servicing and Select Portfolio Servicing Inc. with Prejudice (Doc. 85) is **GRANTED**.
3. Defendants Deutsche Bank National Trust Company, Shellpoint Mortgage Servicing, and Select Portfolio Servicing are **DROPPED** from this case with prejudice.
4. The Clerk is **DIRECTED** to **TERMINATE** Deutsche Bank National Trust Company, Shellpoint Mortgage Servicing, and Select Portfolio Servicing Inc. as parties.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on June 13, 2018.



  
ROY B. DALTON JR.  
United States District Judge

Copies to:  
Counsel of Record