

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

BRIAN DODD,

Plaintiff,

v.

CASE NO: 8:09-CV-1872-T-27AEP

CHRIS JAMES WOODS, et al.,

Defendants.

ORDER

BEFORE THE COURT is the Report and Recommendation submitted by the Magistrate Judge (Dkt. 68). Plaintiff has filed no objections to the Report and Recommendation and the time for filing objections has expired.

After careful consideration of Report and Recommendation in conjunction with an independent examination of the file, the Court is of the opinion that the Report and Recommendation should be adopted, confirmed, and approved in all respects. Accordingly, it is **ORDERED**:

1) The Report and Recommendation (Dkt. 68) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2) Defendant Film Ranch International Inc.'s Motion to Dismiss (Dkt. 59) is **GRANTED**, and Plaintiff's claims against Film Ranch International, Inc. are **DISMISSED** with prejudice pursuant to Fed. R. Civ. P. 12(b)(6).


3) As to Defendants Chris James Woods and Robert Elfstrom, Counts II-V as well as Count I to the extent that it asserts a claim against Woods and Elfstrom for employment discrimination

under the Americans with Disabilities Act are **DISMISSED** with prejudice pursuant to Fed. R. Civ. P. 12(b)(6).

4) Pursuant to 28 U.S.C. § 1367(c), the Court declines to exercise supplemental jurisdiction over Plaintiff's breach of contract claim against Woods. To the extent that Count I asserts a claim for breach of contract against Woods, Count I is therefore **DISMISSED** without prejudice.

5) The Clerk is directed to terminate any pending motions and **CLOSE** the case.

DONE AND ORDERED at Tampa, Florida this 21st day of September, 2010.



JAMES B. WHITTEMORE
United States District Judge

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Counsel/pro se parties of record