

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

**EMMANUEL EBEH,**

**Plaintiff,**

**v.**

**CASE NO. 8:09-CV-2628-T-27-TBM**

**ST. PAUL TRAVELERS, et al.,**

**Defendants.**

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**ORDER**

**BEFORE THE COURT** is the Report and Recommendation submitted by the Magistrate Judge recommending that Defendant Lakeside Occupational Medical Centers, P.A.'s Motion to Dismiss for Lack of Jurisdiction over the Subject Matter and Failure to State a Claim (Dkt. 6), as supplemented (Dkt. 24), be granted (Dkt. 32). Plaintiff has filed objections to the Report and Recommendation (Dkt. 33).

After careful consideration of Report and Recommendation and Plaintiff's objections, 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. 32) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2) Defendant Lakeside Occupational Medical Centers, P.A.'s Motion to Dismiss for Lack of Jurisdiction over the Subject Matter and Failure to State a Claim (Dkt. 6), as supplemented (Dkt. 24), is **GRANTED**.

3) Plaintiff's claims against Lakeside Occupational Medical Centers, P.A. are **DISMISSED** with prejudice.

4) The Clerk is directed to close the case.

**DONE AND ORDERED** in chambers on this 31<sup>st</sup> day of January, 2011.

  
**JAMES D. WHITTEMORE**  
**United States District Judge**

Copies to:  
Counsel of Record; *pro se* Plaintiff