

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

ENVISION INSURANCE CO.,  
Plaintiff,

vs.

CASE NO. 8:13-CIV-114-T-EAK-EAJ

GRAYROBINSON, P.A., et al.,  
Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION**

This cause is before the Court on the report and recommendation (R&R) issued by Magistrate Judge Elizabeth A. Kovachevich on August 8, 2013 (Doc. 114). The magistrate judge recommended that the motions to strike (Docs. 77 and 80) be denied.

Pursuant to Rule 6.02, Rules of the United States District Court for the Middle District of Florida, the parties had fourteen (14) days after service to file written objections to the proposed findings and recommendations, or be barred from attacking the factual findings on appeal. Defendant Foley & Lardner, LLP filed objections to the report and recommendation (Doc. 119) and the Plaintiff responded to the objections (Doc. 122).

**STANDARD OF REVIEW**


When a party makes a timely and specific objection to a finding of fact in the report and recommendation, the district court should make a de novo review of the record with respect to that factual issue. 28 U.S.C. § 636(b)(1); **U.S. v. Raddatz**, 447 U.S. 667 (1980); **Jeffrey S. v. State Board of Education of State of Georgia**, 896 f.2d 507 (11th Cir. 1990). However, when no timely and specific objections are filed, case law indicates that the court

should review the findings using a clearly erroneous standard. **Gropp v. United Airlines, Inc.**, 817 F.Supp. 1558, 1562 (M.D. Fla. 1993).

The Court has reviewed the report and recommendation and made an independent review of the record. Upon due consideration, the Court concurs with the report and recommendation and the Plaintiff's response to the objections. Accordingly, it is

**ORDERED** that the report and recommendation, August 8, 2013 (Doc. 114) be **adopted and incorporated by reference**; and the motion to strike (Docs. 77 and 80) be **denied**.

**DONE and ORDERED** in Chambers, in Tampa, Florida, this 4th day of October, 2013.



ELIZABETH A. KOVACHEVICH  
UNITED STATES DISTRICT JUDGE

Copies to:  
All parties and counsel of record  
Assigned Magistrate Judge