

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

RSUI INDEMNITY COMPANY,

Plaintiff,

v.

Case No: 8:13-cv-2629-T-30TGW

AKSHAY M. DESAI, SANDIP I. PATEL,
SEEMA DESAI, JEFF LUDY, DEEPAK
DESAI, STEVEN J. SCHAEFER, THE
FLORIDA DEPARTMENT OF
FINANCIAL SERVICES and
UNIVERSAL HEALTH CARE GROUP,
INC.,

Defendants.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation submitted by Magistrate Judge Thomas G. Wilson (Dkt. #141). The Court notes that neither party filed written objections to the Report and Recommendation and the time for filing such objections has elapsed.

In this declaratory judgment action concerning the application of a Directors and Officers Liability policy, the plaintiff and all but two defendants believe that all the parties reached a settlement agreement, and these parties moved for an order enforcing that purported settlement. Defendants Akshay and Seema Desai, believing that no such agreement was ever reached, opposed the motion. The Court referred the matter to Magistrate Judge Wilson, who held a hearing on the motion. Judge Wilson then issued a

Report and Recommendation that painstakingly detailed the history of this case and, more important, the history of the negotiations between the parties.

The Court has carefully considered the Report and Recommendation and independently examined the record. The Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

It is therefore **ORDERED AND ADJUDGED** that:


1. The Report and Recommendation (Dkt. #141) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2. The Dispositive Joint Motion to Enforce Settlement Against Defendants Akshay M. Desai and Seema Desai and Request to Remove from Trial Docket and Continue all Deadlines (Dkt. 116) is DENIED.

It is further **ORDERED AND ADJUDGED** that:

1. This case is re-opened and the stay is lifted.
2. The case is set for the Court's **December 2017** term.
3. The Court will issue a Fifth Amended Case Management and Scheduling Order.

DONE and **ORDERED** in Tampa, Florida, this 28th day of November, 2016.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies Furnished To:
Counsel/Parties of Record