

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

SUNDIAL PARTNERS, INC.,

Plaintiff,

v.

CASE NO. 8:15-cv-861-T-23JSS

ATLANTIC STREET CAPITAL
MANAGEMENT LLC,

Defendant.

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ORDER

An order (Doc. 43) referred for report and recommendation the defendant's motion (Doc. 17) to compel arbitration or to dismiss. After a hearing, the magistrate judge recommends (Doc. 56) granting the motion to compel arbitration and denying as moot the motion to dismiss. The plaintiff objects (Doc. 61) to the report and recommendation, and the defendant responds (Doc. 64) to the objection. A *de novo* review of the portions of the report and recommendation to which the plaintiff objects reveals that the plaintiff's objection is unfounded or unpersuasive. Accordingly, the report and recommendation (Doc. 56) is **ADOPTED**. The defendant's motion (Doc. 17) to compel arbitration is **GRANTED**, and the defendant's motion (Doc. 17) to dismiss is **DENIED AS MOOT**. This action is

STAYED pending arbitration. The clerk is directed to terminate any pending motion and to administratively close the case.

ORDERED in Tampa, Florida, on March 11, 2016.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE