UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DOUGLAS STALLEY etc.,
    Plaintiff,

vs.   **Case No. 8:15-CV-2496-T-EAK-TBM**

R.J.REYNOLDS TOBACCO
COMPANY, et al.,
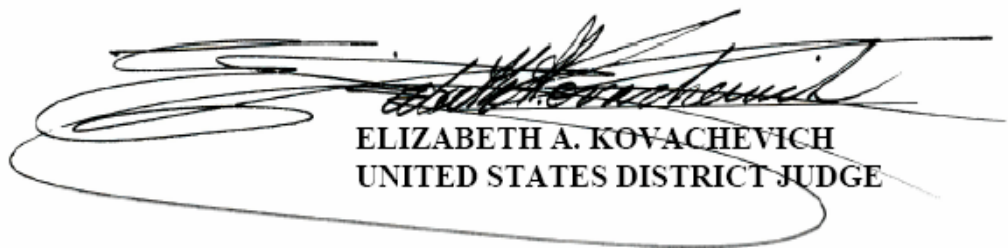   **Defendants.**
_____/

This cause comes before the Court for consideration of Plaintiff's Motion to

Remand to State Court and for Attorneys' Fees. (Dkt. 13). This motion, along with

motions in four related cases, was considered by the United States Magistrate Judge, after

this Court referred it for a report and recommendation. (Dkt. 18). Magistrate Judge

Jenkins has filed her report recommending that the case be remanded to state court and

that Plaintiff's request for attorneys' fees be denied. (Dkt. 21) The recommendation is

consistent to the resolution of similar cases filed in the Orlando Division of this Court.

The parties were furnished copies of the Report and Recommendation and were

afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). Objections

to the Magistrate Judge's Report were filed by Defendants on March 1, 2016 (Dkt. 22),

and a response thereto was filed by Plaintiff on March 15, 2016 (Dkt. 23). Upon

consideration of the Report and Recommendation, as well as the objections and response

to the objections, and upon this Court's independent examination of the file, including

Plaintiff's motion to remand and Defendants' response, it is determined that the Report

and Recommendation should be adopted. Accordingly, it is

ORDERED that the Magistrate Judge's Report and Recommendation (Dkt. 18) is adopted and incorporated by reference in this Order of the Court; the motion to remand is **GRANTED**; Plaintiff's motion for attorneys' fees is **DENIED**; and the Clerk is directed to remand this case to the Thirteenth Judicial Circuit in and for Hillsborough County, Florida, to terminate all pending motions, and to close the case.

DONE and ORDERED in Chambers, in Tampa, Florida, this 8th day of April, 2016.

ELIZABETH A. KOVACHEVICH
UNITED STATES DISTRICT JUDGE

Copies to: All Parties and Counsel of Record