

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DRAGON JADE INTERNATIONAL, LTD.,

Plaintiff,

v.

Case No: 8:17-cv-2422-T-27CPT

ULTROID, LLC, ULTROID
MARKETING DEVELOPMENT CORP.,
and ULTROID TECHNOLOGIES, INC.,

Defendants.

_____ /

ORDER

BEFORE THE COURT is the Report and Recommendation submitted by the Magistrate Judge recommending that Defendants' Motion to Dismiss (Dkt. 11) be denied. Neither party has filed objections and the time for doing so has expired.

A district court may accept, reject or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1). In the absence of specific objections, there is no requirement that factual findings be reviewed *de novo*, and the court may accept, reject or modify, in whole or in part, the findings and recommendations. § 636(b)(1)(C); *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993). Legal conclusions are reviewed *de novo*, even in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x. 554, 556 (11th Cir. 2010) (citing *United States v. Warren*, 687 F.2d 347, 348 (11th Cir. 1982)); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

After conducting a careful and complete review of the findings, conclusions, and recommendations, and giving *de novo* review to matters of law,

1) The Report and Recommendation (Dkt. 34) is **APPROVED** and **ADOPTED** for all purposes, including for appellate review.

2) Defendants' Motion to Dismiss (Dkt. 11) is **DENIED**.

3) Defendants shall respond to Plaintiff's Complaint within **fourteen (14) days**.

DONE AND ORDERED this 8th day of February, 2018.



JAMES D. WHITTEMORE
United States District Judge

Copies to:
Counsel of Record