

**IN THE UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA
GAINESVILLE DIVISION**

BRANDON RICARDO SMITH,

Plaintiff,

v.

Case No. 1:16cv2-MW/GRJ

WINN-DIXIE STORES, INC.,

Defendant.

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**ORDER ACCEPTING AND ADOPTING
REPORT AND RECOMMENDATION**

This Court has considered, without hearing, the Magistrate Judge's Report and Recommendation. ECF No. 74. Upon consideration, no objections having been filed by the parties,

IT IS ORDERED:

The report and recommendation is **accepted and adopted** as this Court's opinion. The Defendant's motion to dismiss or stay this case, ECF No. 67, is **DENIED**. Plaintiff is further **ORDERED** to make bi-weekly payments to the Defendant in the amount of \$50.00, beginning with Plaintiff's first full pay period

following the entry of this Order.¹ Finally, the Clerk is directed to set this matter for a telephonic status conference and issue a notice for trial.

SO ORDERED on November 17, 2017.

s/Mark E. Walker
United States District Judge

¹ Plaintiff was ordered on January 24, 2017, ECF No. 64, to pay attorney's fees to Defendant in the amount of \$7,316.80. (Payable to Defendant's counsel.)