

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

**R.E. LOANS, LLC, and
2718 SANTA ROSA, LLC,
Plaintiffs,**

v.

Case No. 3:08cv76/MCR/MD

**EAGLE GROUP BROKERS, LLC,
THE EAGLE GROUP REAL ESTATE
INVESTMENTS, INC.,
EAGLE LAND GROUP, INC.,
TRIPLE EAGLE & ASSOCIATES,
one, some or all d/b/a THE EAGLE GROUP,
RON REESER, an individual,
HAL HAYES, an individual,
BEACHWALK ASSOCIATES, LLC,
a Georgia limited liability company,
EUBY BLACK, an individual, and
DOES 1-50, INCLUSIVE,
Defendants.**

REPORT AND RECOMMENDATION

On June 1, 2009, District Judge Casey Rodgers entered an order directing the clerk to enter defaults against defendants Eagle Group Brokers, LLC; The Eagle Group Real Estate Investments, Inc.; Eagle Land Group, Inc.; Eagle Property, Inc.; Triple Eagle & Associates; one, some or all d/b/a/ The Eagle Group; and Beachwalk Associates, LLC. (Doc. 109). The order further provided that absent the filing of an appearance of substitute counsel before June 20, 2009, the counterclaims filed on behalf of Triple Eagle & Associates and Beachwalk Associates, LLC would be dismissed for failure to prosecute. Thereafter, the case was referred to the undersigned. (Doc. 110)

The time provided for the affected defendants to retain substitute counsel has expired, and no counsel has appeared on behalf of the affected defendants.

Accordingly, it is respectfully RECOMMENDED:

1. That the counterclaims filed on behalf of Triple Eagle & Associates and Beachwalk Associates, LLC be DISMISSED without prejudice for failure to prosecute.

2. That the case be referred to the undersigned for further proceedings consistent with the Court's June 1, 2009 referral order (doc. 110).

At Pensacola, Florida, this 23rd day of June, 2009.

/s/ *Miles Davis*

MILES DAVIS
UNITED STATES MAGISTRATE JUDGE

NOTICE TO THE PARTIES

Any objections to these proposed findings and recommendations must be filed within ten days after being served a copy thereof. Any different deadline that may appear on the electronic docket is for the court's internal use only, and does not control. A copy of objections shall be served upon all other parties. Failure to object may limit the scope of appellate review of factual findings. See 28 U.S.C. § 636; *United States v. Roberts*, 858 F.2d 698, 701 (11th Cir. 1988).