

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

DANIEL J. LEVITAN,
and PAMELA H. LEVITAN,
Plaintiffs,

vs.

CASE NO.: 3:09cv321/MCR/MD

MARY ANN PATTI, LLC, et al.,
Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's report and recommendation dated September 16, 2009. The plaintiff has been furnished a copy of the report and recommendation and has been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1), and I have made a de novo determination of those portions to which an objection has been made.

Having considered the report and recommendation and all objections thereto timely filed, I have determined that the report and recommendation should be adopted.

Accordingly, it is now ORDERED as follows:

1. The magistrate judge's report and recommendation is adopted and incorporated by reference in this order.
2. The plaintiffs' motion for a temporary restraining order or preliminary injunctive relief (doc. 25) is DENIED.
3. The defendants' requests for costs, other sanctions and damages are DENIED.

DONE AND ORDERED this 15th day of January, 2010.

s/ M. Casey Rodgers

**M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE**