

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

OLDCASTLE SOUTHERN GROUP,
INC.,

Plaintiff,

v.

3:10cv345-WS

BURNHAM PAVING, L.L.C., BURNHAM
PAVING & STRIPING, L.L.C.; JASON C.
BURNHAM; AND KENNETH E. BURNHAM,

Defendants.

ORDER ADOPTING THE MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATION

Before the court is the magistrate judge's report and recommendation (doc. 109) docketed November 27, 2012. The magistrate judge recommends that the case be dismissed with prejudice as to the defendant Jason C. Burnham. No objections to the report and recommendation have been filed.

The court has reviewed the record and has determined that the magistrate judge's report and recommendation should be adopted. Accordingly, it is ORDERED:

1. The magistrate judge's report and recommendation (doc. 109) is hereby ADOPTED and incorporated by reference in this order.
2. Jason C. Burnham is DISMISSED from this case with prejudice.
3. The clerk shall enter judgment stating: "All claims against Jason C. Burnham

are DISMISSED WITH PREJUDICE."

4. The clerk shall close the file.

DONE AND ORDERED this 2nd day of January, 2013.

s/ William Stafford _____
WILLIAM STAFFORD
SENIOR UNITED STATES DISTRICT JUDGE