

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

HOME DESIGN SERVICES, INC.,  
Plaintiff,

vs.

Case No. 3:10cv544/RV/CJK

CLASSIC HOME BUILDERS, INC.,  
et al.,  
Defendants.

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ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated September 19, 2012. (Doc. 217). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). No objections have been filed.

Having considered the Report and Recommendation, 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 remaining claims by, between and against Geometrics, Inc., Charles D. Lee, II, Classic Home Builders, Inc., Daniel J. Speranzo, and Ricky L. Faciane are DISMISSED WITH PREJUDICE, with each party to bear its own attorneys' fees and costs.

3. The claim as to defendant, Mabire & Porter Residential Designers and Planners, Inc. is DISMISSED WITHOUT PREJUDICE.

4. In the event settlement between the parties mentioned above is not consummated for any reason, the Court reserves jurisdiction, upon motion filed by any party within 60 days after date, to amend, alter or vacate and set aside the order of dismissal.

5. The clerk is directed to close the file.

DONE AND ORDERED this 30<sup>th</sup> day of October, 2012.

*/s/ Roger Vinson* \_\_\_\_\_  
ROGER VINSON  
SENIOR UNITED STATES DISTRICT JUDGE