

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

LINDA LOVE,

Plaintiff,

v.

Case No. 3:17-cv-451-MCR-CJK

LENDER SERVICES, INC. and
JOSEPH E. MERCER,

Defendants.

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ORDER

This cause comes before the Court on consideration of the Magistrate Judge's Report and Recommendation dated June 13, 2018. *See* ECF No. 27.

On May 31, 2018, Defendants Lender Services, Inc. and Joseph E. Mercer filed a Motion to Dismiss Plaintiff Linda Love's claims for failure to prosecute and failure to comply with the Court's orders. *See* ECF No. 24 at 1-2. Defendants represented that, if the motion was granted, they would dismiss their counterclaims without prejudice. *See id.* at 3. The Court then entered Show Cause Orders, directing Love to respond to the motion and comply with the Court's orders or risk dismissal. *See* ECF Nos. 25, 26. Love did not respond to either the Motion to Dismiss or the Show Cause Orders, prompting the Magistrate Judge to advise the Court to dismiss Love's

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claims in the pending Report and Recommendation. *See* ECF No. 27. No objections were filed and the 14-day window for filing objections has passed.

Accordingly, based on a *de novo* review of the Motion to Dismiss and the Report and Recommendation, it is now **ORDERED** as follows:

1. The Magistrate Judge's Report and Recommendation, ECF No. 27, is **ADOPTED** and incorporated by reference in this order.

2. Defendants' Motion to Dismiss, ECF No. 24, is **GRANTED**.

3. Love's claims against Defendants are **DISMISSED WITHOUT PREJUDICE**.

4. Consistent with their representation in the Motion to Dismiss, *see* ECF No. 24 at 3, Defendants should dismiss their counterclaims within 14 days of this Order.

5. On the filing of Defendants' dismissal papers, the Clerk will close the file, and any pending motions will be denied as moot.

DONE AND ORDERED this 3rd day of July, 2018.

M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE