

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

WILLIAM R. MULDROW,

Plaintiff, and

BLUE CHIP CONSTRUCTION  
COMPANY, Plaintiff-Intervener,

vs.

Case. No. 4:08-CV-109-SPM

CATHY DAVIS, individually,  
DAVID REID, individually,  
CITY OF TALLAHASSEE,  
KENT RICKEY, individually, and  
unknown persons who formed an  
evaluation committee for evaluation  
general contractor services  
for a short list of contractors,

Defendants.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

THIS CAUSE comes before the Court upon the Magistrate Judge's Report and Recommendation. (doc. 37) The parties have been furnished a copy and have been afforded an opportunity to file objections. To date, no objections have been filed.

Pursuant to Title 28, United States Code, Section 636(b)(1), it is hereby

ORDERED AND ADJUDGED as follows:

1. The Magistrate Judge's Report and Recommendation (doc. 37) is ***adopted*** and incorporated by reference in this order.
2. Defendants' motion to dismiss the Complaint of Plaintiff William R. Muldrow (doc. 9) is ***granted***.
3. The case against Plaintiff Muldrow is ***dismissed with prejudice***.
4. Defendants' motion to dismiss the Complaint of Plaintiff Blue Chip Construction Company (doc. 31) is ***granted***.
5. The case against Plaintiff Blue Chip Construction Company is ***dismissed without prejudice***.
6. Plaintiff Blue Chip Construction Company shall file an amended complaint on or before ***Monday, April 20, 2009***.

DONE AND ORDERED this thirtieth day of March, 2009.

*s/ Stephan P. Mickle*

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Stephan P. Mickle  
United States District Judge