

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PANAMA CITY DIVISION**

**THE SUMMIT OWNERS ASSOCIATION,
INC., a Florida not-for-profit organization,**

Plaintiff,

v.

CASE NO. 5:11-cv-273-RS-GRJ

DONALD JESSIE ELLIOT, et al.,

Defendants.

_____ /

UNITED STATES OF AMERICA,

Plaintiff,

v.

CASE NO. 5:11-cv-59-RS-GRJ

CLARA HOLLOWAY, et al.,

Defendants.

_____ /

ORDER

Before me is the Magistrate Judge's Report and Recommendation (Doc. 18).

No objections have been filed.

IT IS ORDERED:

1. The Magistrate Judge's Report and Recommendation is approved and incorporated in this Order.

2. The Motion to Dismiss Former Trustee Donald J. Elliot as Defendant (Doc. 13) is **DENIED**.
3. Defendant Donald J. Elliot shall file an answer to the amended complaint not later than February 20, 2012.
4. The Motion to Dismiss (Doc. 15) is **DENIED**.

ORDERED on February 9, 2012.

/S/ Richard Smoak
RICHARD SMOAK
UNITED STATES DISTRICT JUDGE