

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 09-62042-CIV-ZLOCH

HYLTON NESBETH, WAYNE GALLIMORE,  
and CHRISTOPHER WALKER,

Plaintiffs,

vs.

**FINAL ORDER OF DISMISSAL AS TO  
DEFENDANTS WACHOVIA BANK AND  
MASTERCARD WORLDWIDE**USIMO, a foreign corporation,  
et al.,Defendants.  

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THIS MATTER is before the Court upon the Reports And Recommendations (DE Nos. 28 & 29) filed herein by United States Magistrate Judge Robin S. Rosenbaum, Defendant Wachovia Bank N.A.'s Motion To Dismiss Complaint (DE 9) and Defendant Mastercard Worldwide's Motion To Dismiss The Complaint (DE 11). No objections have been filed to said Reports. The Court has conducted a de novo review of the entire record herein and is otherwise fully advised in the premises.

Accordingly, after due consideration, it is

**ORDERED AND ADJUDGED** as follows:

1. The Reports And Recommendations (DE Nos. 28 & 29) filed herein by United States Magistrate Judge Robin S. Rosenbaum be and the same are hereby approved, adopted and ratified by the Court;
2. Defendant Wachovia Bank N.A.'s Motion To Dismiss Complaint

(DE 9) be and the same is hereby **GRANTED**;

3. Defendant Mastercard Worldwide's Motion To Dismiss The Complaint (DE 11) be and the same is hereby **GRANTED**; and

4. The above-styled cause be and the same is hereby **DISMISSED** with prejudice as to Defendants Wachovia Bank N.A. and Mastercard Worldwide.

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida, this 9th day of September, 2010.

  
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WILLIAM J. ZLOCH  
United States District Judge

Copies furnished:

The Honorable Robin S. Rosenbaum  
United States Magistrate Judge

All Counsel of Record