

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO. 01-003519-CIV-HUCK/O'SULLIVAN

THE HERITAGE CORPORATION OF SOUTH
FLORIDA, INC., and HERITAGE
CORPORATION OF SOUTH FLORIDA
EMPLOYEE PENSION PLAN

Plaintiffs/Counter-Defendants,

v.

NATIONAL UNION FIRE INSURANCE
COMPANY OF PITTSBURGH, PA., and
AMERICAN INTERNATIONAL SPECIALTY
LINES INSURANCE COMPANY,

Defendants/Counter-Plaintiffs,

v.

FEDERAL HOME LOAN MORTGAGE
CORPORATION,

Intervenor-Plaintiff/Counter Defendant

_____ /


**ORDER ADOPTING REPORT AND RECOMMENDATION AND DENYING
NATIONAL UNION'S MOTION FOR PROCEEDINGS SUPPLEMENTARY**

THIS CAUSE comes before the Court upon Defendant National Union's Motion for Proceedings Supplementary, filed June 5, 2008 [D.E. #293]. The Honorable John J. O'Sullivan, United States Magistrate Judge, issued a Report and Recommendation on the motion [D.E. #312], filed on October 21, 2008, recommending that the motion be denied.

As National Union has not objected to the Report and Recommendation, it is not challenging the factual findings contained in it. The Court has independently reviewed the Report and Recommendation, and the record. Being otherwise duly advised, the Court adopts the findings of fact and conclusions as in the report. Accordingly, it is hereby

ORDERED AND ADJUDGED that Report is ADOPTED and National Union's Motion for Proceedings Supplementary is DENIED.

DONE AND ORDERED in chambers, Miami, Florida, November 10, 2008.



PAUL C. HUCK
United States District Judge

Copies Furnished To:
Magistrate Judge John J. O'Sullivan
All Counsel of Record