

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

CASE NO. 20-23904-CIV-CANNON/Otazo-Reyes

**UNITED STATES OF AMERICA and
NALISA SIMONA SAATI,**

Plaintiffs,

v.

**CREDICO (USA) INC. and
CREDICO (USA) LLC,**

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS**

THIS CAUSE is before the Court upon Defendant's Motion to Dismiss First Amended Complaint (the "Motion") [ECF No. 47], filed on April 15, 2021. On August 9, 2021, the Court referred the case to Magistrate Judge Alicia M. Otazo-Reyes for a ruling on all pretrial, non-dispositive matters and for a Report and Recommendation on any dispositive matters [ECF No. 54]. On November 3, 2021, Judge Otazo-Reyes issued a Report ("R&R") recommending that the Motion be granted [ECF No. 70]. The R&R states that the parties shall file any objections within fourteen days of the date of the R&R [ECF No. 70 pp. 9]. To date, Plaintiffs have not filed any objections nor sought additional time to do so.

Nevertheless, the Court has conducted a *de novo* review of the R&R and is otherwise fully advised in the premises. *See Williams v. McNeil*, 557 F.3d 1287, 1291 (11th Cir. 2009) (citing 28 U.S.C. § 636(b)(1)). Upon review, the Court finds the R&R to be well reasoned and correct. The Court therefore agrees with the analysis in the R&R and concludes that the Motion should be **GRANTED** for the reasons set forth therein.

Accordingly, it is **ORDERED and ADJUDGED** as follows:

1. The R&R [ECF No. 70] is **ADOPTED**.
2. The Motion [ECF No. 47] is **GRANTED**.
3. The Fourth and Fifth Claims of Plaintiffs' First Amended Complaint [ECF No. 23] are **DISMISSED WITH PREJUDICE**.
4. The First, Second, and Third Claims of Plaintiffs' First Amended Complaint [ECF No. 23] are **DISMISSED WITHOUT PREJUDICE**. Plaintiffs may file an Amended Complaint that cures the pleading deficiencies outlined in the R&R on or before **December 6, 2021**.

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 19th day of November 2021.

A handwritten signature in black ink, appearing to read 'Aileen M. Cannon', written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record