

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 1:21-CV-21399-JLK

JELENA PETROVIC, as
Personal Representative of the Estate of
BORKO B. PETROVIC,
Decedent,

Plaintiff,

v.

PRINCESS CRUISE LINES, Ltd. (Corp.),

Defendant.

/

**REPORT AND RECOMMENDATION ON JOINT MOTION
TO ENTER STIPULATION REFERRING CASE TO ARBITRATION**

THIS CAUSE is before the Court on the Parties' Joint Motion to Enter Stipulation Referring Case to Arbitration in Bermuda ("Motion"). ECF No. [6]. After due consideration of the Motion, the pertinent portions of the record, and being otherwise fully advised in the premises, it is hereby **RECOMMENDED** that the Motion, ECF No. [6], be **GRANTED**.

On April 12, 2021, Defendant, Princess Cruise Lines, filed its Notice of Removal of the civil action to the Southern District of Florida, ECF No. [1]. Upon removal, Defendant filed a Motion to Compel Arbitration, ECF No. [3], to which Plaintiff did not respond. Thereafter, the Parties jointly filed the instant Motion requesting the Court to enter an order referring the case to arbitration.

Given that the Motion has been jointly filed, the Court **RECOMMENDS** that the Motion, ECF No. [6], be **GRANTED**, and that Defendant's Motion to Compel Arbitration, ECF No. [3], be **DENIED as MOOT**.

A party shall serve and file written objections, if any, to this Report and Recommendation with the United States District Court Judge for the Southern District of Florida, within **ONE (1) DAY** of filing this Report and Recommendation. Given that the Motion has been jointly filed, the undersigned finds that one day is sufficient time for the parties to file their objections. Failure to timely file objections will bar a *de novo* determination by the District Judge of anything in this Recommendation and shall constitute a waiver of a party's "right to challenge on appeal the district court's order based on unobjected-to factual and legal conclusions." 11th Cir. R. 3-1 (2016); 28 U.S.C. § 636(b)(1)(C); *see also Harrigan v. Metro-Dade Police Dep't Station #4*, 977 F.3d 1185, 1191–92 (11th Cir. 2020).

DONE AND SUBMITTED in Chambers at Miami, Florida, this 1 day of June, 2021.



JACQUELINE BECERRA
UNITED STATES MAGISTRATE JUDGE