

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 21-80546-CIV-CANNON-Reinhart

JASON GOLDSTEIN,

Plaintiff,

v.

LUXOTTICA OF AMERICA INC.,

Defendant.

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

THIS CAUSE is before the Court upon Defendant's Motion to Dismiss Plaintiff's First Amended Class Action Complaint (the "Motion") [ECF No. 22], filed on May 17, 2021. On August 4, 2021, the Court referred the case to Magistrate Judge Bruce E. Reinhart for a Report and Recommendation on any dispositive matters [ECF No. 32]. On August 27, 2021, Judge Reinhart issued a Report and Recommendation ("R&R") recommending that the Motion be granted [ECF No. 33]. The R&R states that the parties shall file any objections within fourteen days of the date of service of the R&R [ECF No. 33, pp. 5–6]. Plaintiff timely filed an Objection to the R&R on September 7, 2021 [ECF No. 35].

The Court has conducted a *de novo* review of the R&R, Plaintiff's Objection, and the record in this case 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.

CASE NO. 21-80546-CIV-CANNON-Reinhart

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

1. The R&R [ECF No. 33] is **ADOPTED**.
2. Defendant's Motion to Dismiss Plaintiff's First Amended Class Action Complaint [ECF No. 22] is **GRANTED**.
3. Plaintiff's First Amended Class Action Complaint [ECF No. 16] is **DISMISSED WITH PREJUDICE**.
4. The Clerk of Court shall **CLOSE** this case.

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 8th day of September 2021.



AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record