

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

CASE NO. 24-CV-80583-ROSENBERG

EPSON AMERICA, INC.,

Plaintiff,

v.

SAFE SPACE SCAN TECHNOLOGY LLC
d/b/a AWOL VISION,

Defendant.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

This matter is before the Court upon the Defendant's Motion to Dismiss at docket entry 33. The Court referred the motion for a report and recommendation at docket entry 41. On September 13, 2024, Magistrate Judge Reinhart issued a Report and Recommendation recommending that the undersigned grant the motion and dismiss the complaint without prejudice. DE 50. The Plaintiff filed objections at docket entry 54. Defendant responded at docket entry 55.


The Court has conducted a *de novo* review of Magistrate Judge Reinhart's Report and Recommendation, the objections, the response to the objections, and the complaint and is otherwise fully advised in the premises of the motion to dismiss. The Court agrees with the analysis and conclusions in the Report and Recommendation and finds Magistrate Judge Reinhart's recommendation to be well reasoned and correct.

For the foregoing reasons, it is **ORDERED AND ADJUDGED** as follows:

1. Magistrate Judge Reinhart's Report and Recommendation [DE 50] is hereby **ADOPTED** in its entirety,
2. The Defendant's Motion to Dismiss [DE 33] is **GRANTED**,

3. The complaint [DE 1] is **DISMISSED** without prejudice, and
4. Plaintiff is **GRANTED** leave to amend the complaint. If Plaintiff wishes to file an Amended Complaint, it shall do so on or before November 1, 2024.

DONE and ORDERED in Chambers, West Palm Beach, Florida, this 23rd day of October, 2024.


ROBIN L. ROSENBERG
UNITED STATES DISTRICT JUDGE