

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

<b>JOHN F. CURRAN, III</b>	:	<b>CIVIL ACTION NO. 1:12-cv-750</b>
	:	
<b>Plaintiff</b>	:	<b>(Judge Kane)</b>
	:	<b>(Magistrate Judge Schwab)</b>
<b>v.</b>	:	
	:	
<b>MARK ZINNAMOSCA &amp; ASSOCIATES, et al.</b>	:	
	:	
<b>Defendants</b>	:	

**ORDER**

Before the court in the above-captioned action is a January 2, 2014 Report and Recommendation of the Magistrate Judge. No timely objections have been filed.

Accordingly, this 22<sup>nd</sup> day of January 2014, upon review of the record and the applicable law, **IT IS HEREBY ORDERED THAT** the Court adopts the Report and Recommendation of Magistrate Judge Schwab.

- 1) Plaintiff's Motions for Default Judgment (Doc. Nos. 15 and 17) are **DENIED**;
- 2) Defendants Mark Zinamosca & Associates and Mark Zinamosca's motion to dismiss (Doc. No. 9) is **GRANTED** without prejudice;
- 3) Defendants Kelly Utz's and University of Maryland's Motions to Dismiss (Doc. Nos. 19 and 26) are **GRANTED** with prejudice.
- 4) Plaintiff is granted leave to amend his complaint as to the Zinamosca defendants, provided that the plaintiff acts within 20 days of this order. If Plaintiff does not file an amended complaint within 20 days of the date of this order, the Clerk of Court is directed to close the case. If Plaintiff files an amended complaint within 20

days of the date of this order, all further proceedings in this matter are referred to Magistrate Judge Schwab.

s/ Yvette Kane  
YVETTE KANE, District Judge  
United States District Court  
Middle District of Pennsylvania