

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
CHARLESTON DIVISION

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Stephen Fitzgerald, MD and Joanne Fitzgerald,	)	C.A. #2:13-3519-PMD-BM
	)	
Plaintiffs,	)	
	)	
vs.	)	<b><u>ORDER</u></b>
	)	
Kathleen McHugh and Rowallan of Scotland Distribution LLC,	)	
	)	
Defendants.	)	
	)	

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This matter is before the court upon the magistrate judge's recommendation that plaintiffs' motion for summary judgment be granted. The record includes the report and recommendation of the United States Magistrate Judge made in accordance with this Court's Order of Reference and 28 U.S.C. § 636(b).

This Court is charged with conducting a de novo review of any portion of the magistrate judge's report to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636(b)(1). No objections have been filed to the magistrate judge's report.<sup>1</sup>

A review of the record indicates that the magistrate judge's report accurately summarizes this case and the applicable law. For the reasons articulated by the magistrate judge, it is **ordered** that plaintiffs' motion for summary judgment is **granted**.

**ORDERED**, that the magistrate judge's report and recommendation is adopted as the order of this Court, and

**FURTHER ORDERED** that the within matter is referred back to the magistrate

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<sup>1</sup>The Report and Recommendation of April 21, 2017, mailed to McHugh's last known address, was returned with the envelope being marked "Return to sender, not deliverable as addressed, unable to forward," and no updated address has been given to the court.

judge for a damages hearing to determine the amount of damages to be awarded in this case against both defendants.

**AND IT IS SO ORDERED.**

  
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PATRICK MICHAEL DUFFY  
United States District Judge

May 10, 2017  
Charleston, South Carolina