UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JAMES WAGNER,

Plaintiff,

v. **Case No: 6:16-cv-1981-Orl-22DCI**

DISNEY DESTINATION LLC,

Defendant.

ORDER

This cause is before the Court on Defendant's Renewed Motion to Dismiss for Failure to Attend Deposition and to Provide Responses to Discovery Requests and Motion for Attorneys' Fees (Doc. No. 58) filed on March 9, 2018.

The United States Magistrate Judge has submitted a report recommending that the Motion be GRANTED in part and DENIED in part.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed March 27, 2018 (Doc. No. 59), is ADOPTED and CONFIRMED and made a part of this Order.

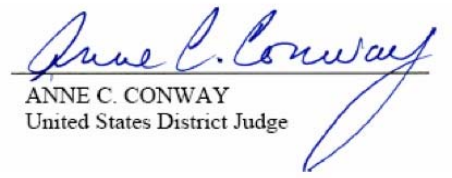
2. The Defendant's Renewed Motion to Dismiss for Failure to Attend Deposition and to Provide Responses to Discovery Requests and Motion for Attorneys' Fees is hereby GRANTED in part and DENIED in part.

3. This case is DISMISSED pursuant to Federal Rules of Civil Procedure 37(d)(3) and 41(b).

4. The Motion is DENIED in all other respects.

5. The Clerk is directed to CLOSE the case.

DONE and **ORDERED** in Orlando, Florida on April 16, 2018.



Copies furnished to:

Counsel of Record
Unrepresented Party