

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

WILLIAM SILVERS, et al.,

Plaintiffs,

v.

Case No. 5:17-cv-169-Oc-34PRL

VERBATA, INC., d/b/a Acme Archives,
et al.,

Defendants.

ORDER

THIS CAUSE is before the Court on Magistrate Judge Philip R. Lammens' Report and Recommendation (Doc. 88; Report), entered on March 22, 2018. In the Report, Judge Lammens recommends that Defendants' Motion and Petition to Compel Contractual Arbitration [9 USC §§ 3, 4] and to Stay the Proceedings (Doc. 51; Motion) be granted except as to Count Eight and that the proceedings be stayed pending arbitration. See Report at 1, 9. On April 3, 2018, Plaintiffs filed an objection to the Report. See Plaintiffs' Objection to Report and Recommendation Granting Defendants' Motion to Compel Arbitration (Doc. 94; Objection). Defendants filed a response on April 13, 2018. See Defendants Verbata, Inc., d/b/a Acme Archives, et al.'s Response in Opposition to Plaintiffs' Objections to Report and Recommendation of Magistrate Judge (Doc. 95; Response). Accordingly, this matter is ripe for review.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1). If no specific objections to findings of facts are filed, the district court is not required to conduct a de

novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at *1 (M.D. Fla. May 14, 2007).

The Court's review of the Report, Objection,¹ Response, and relevant authorities reveals no error in the Magistrate Judge's factual determinations or his analysis. Thus, upon review of the file and for the reasons stated in the Report, the Court will overrule the Objection and accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. Plaintiffs' Objection to Report and Recommendation Granting Defendants' Motion to Compel Arbitration (Doc. 94) is **OVERRULED**.

2. The Report and Recommendation (Doc. 88) of Magistrate Judge Lammens is **ADOPTED** as the opinion of the Court.

3. Defendants' Motion and Petition to Compel Contractual Arbitration [9 USC §§ 3, 4] and to Stay the Proceedings (Doc. 51) is **GRANTED** except as to Count Eight.

4. The parties are directed to submit all covered claims to arbitration in accordance with the 2008 Publishing Agreement.

¹ In the Objection, Plaintiffs reiterate the arguments made before the Magistrate Judge and express their disagreement with his findings. Having reviewed these arguments, the Court finds the Magistrate Judge's factual determinations to be fully supported by the record and applicable authority. Further, Plaintiffs have failed to identify any error in the legal authority cited, or to convince the Court that the Magistrate Judge's legal analysis is in error.

5. This case is hereby **STAYED** pending the completion of the arbitration proceedings. The Clerk of Court is directed to terminate any pending motions and administratively close the file pending notification from the parties that the case is due to be reopened or dismissed.

6. The parties shall file a status report upon the conclusion of the arbitration. If the arbitration is not completed by **August 27, 2018**, then the parties shall file a status report at that time and every 120 days thereafter until the arbitration is completed.

DONE AND ORDERED in Chambers this 27th day of April, 2018.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:
Counsel of Record