

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

DEBORAH L. GALLAHER; and KEVIN
JOHN GALLAHER,

Plaintiffs,

v.

Case No. 6:18-cv-34-Orl-37TBS

DEUTSCHE BANK NATIONAL TRUST
COMPANY; ESTATES AT ALOMA
WOODS HOMEOWNERS
ASSOCIATION, INC.; SHELLPOINT
MORTGAGE SERVICING; and SELECT
PORTFOLIO SERVICING INC.,

Defendants.

ORDER

Before the Court is Plaintiffs' Agreed Motion to Drop Defendants Deutsche Bank National Trust Company, Shellpoint Mortgage Servicing, and Select Portfolio Servicing Inc. with Prejudice (collectively, "**Defendants**") pursuant to Federal Rule of Civil Procedure 21. (Doc. 85 ("**Motion**").) As grounds, the parties represent that they have reached a confidential settlement. (*Id.* at 1.) On referral, U.S. Magistrate Judge Thomas B. Smith recommends that the Court grant the Motion and drop Defendants from this action. (Doc. 91 ("**R&R**").)

No party objected to the R&R, and the time for doing so has now passed. Absent objections, the Court has examined the R&R only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see*

also Marcort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006). Finding no clear error, the Court concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Thomas B. Smith's Report and Recommendation (Doc. 91) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. Plaintiffs' Agreed Motion to Drop Defendants Deutsche Bank National Trust Company, Shellpoint Mortgage Servicing and Select Portfolio Servicing Inc. with Prejudice (Doc. 85) is **GRANTED**.
3. Defendants Deutsche Bank National Trust Company, Shellpoint Mortgage Servicing, and Select Portfolio Servicing are **DROPPED** from this case with prejudice.
4. The Clerk is **DIRECTED** to **TERMINATE** Deutsche Bank National Trust Company, Shellpoint Mortgage Servicing, and Select Portfolio Servicing Inc. as parties.

DONE AND ORDERED in Chambers in Orlando, Florida, on June 13, 2018.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record