

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

TW CLEANING SERVICES, INC.,

Plaintiff,

v.

Case No: 5:18-cv-476-Oc-30PRL

WAWA, INC.,

Defendant.

ORDER

THIS CAUSE came on for consideration on the Report and Recommendation submitted by Magistrate Judge Philip R. Lammens (Doc. 18) and the clarification thereof (Doc. 20). The Court notes that neither party filed written objections to the Report and Recommendation and the time for filing such objections has elapsed.

After careful consideration of the Report and Recommendation of the Magistrate Judge in conjunction with an independent examination of the file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

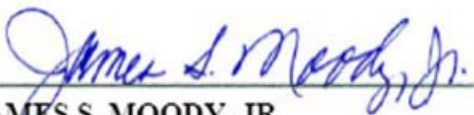
ACCORDINGLY, it is therefore, **ORDERED AND ADJUDGED**:

1. The Report and Recommendation (Doc. 18) of the Magistrate Judge is adopted, confirmed, and approved in all respects—with incorporation of the clarification (Doc. 20)—and is made a part of this order for all purposes, including appellate review.

2. Defendant Wawa, Inc's Motion to Dismiss (Doc. 9) is DENIED IN PART and GRANTED IN PART as follows:

- a. The Motion to Dismiss is DENIED.
- b. The construed motion to strike Plaintiff's claim for attorneys' fees is GRANTED.

DONE and **ORDERED** in Tampa, Florida, this 12th day of December, 2018.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies Furnished To:
Counsel/Parties of Record