

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

JOHN L. MILANO,

Plaintiff,

v.

CASE NO. 3:18-cv-598-J-34JBT

TD BANK USA, N.A.,

Defendant.

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**REPORT AND RECOMMENDATION**<sup>1</sup>

**THIS CAUSE** is before the Court on the parties' Joint Oral Motion to Dismiss With Prejudice ("Motion") (Doc. 23). On June 12, 2018, the undersigned held a preliminary pretrial conference and motion hearing in this case and in *Milano v. TD Bank US Holding Company*, Case No. 3:18-cv-416-J-34JBT. At the hearing, the parties jointly moved to dismiss the instant case with prejudice. Accordingly, it is respectfully **RECOMMENDED** that:

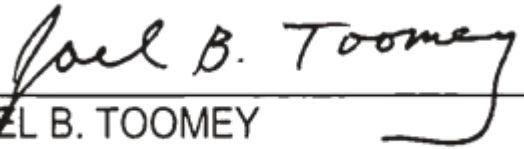
1. The case be **DISMISSED with prejudice**.

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<sup>1</sup> "Within 14 days after being served with a copy of [this Report and Recommendation], a party may serve and file specific written objections to the proposed findings and recommendations." Fed. R. Civ. P. 72(b)(2). "A party may respond to another party's objections within 14 days after being served with a copy." *Id.* A party's failure to serve and file specific objections to the proposed findings and recommendations alters the scope of review by the District Judge and the United States Court of Appeals for the Eleventh Circuit, including waiver of the right to challenge anything to which no specific objection was made. See Fed. R. Civ. P. 72(b)(3); 28 U.S.C. § 636(b)(1)(B); 11th Cir. R. 3-1; Local Rule 6.02.

2. The Clerk of Court be directed to terminate any pending motions and close the file.

**DONE AND ENTERED** at Jacksonville, Florida, on June 13, 2018.

  
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JOEL B. TOOMEY  
United States Magistrate Judge

Copies to:

The Honorable Marcia Morales Howard  
United States District Judge

Pro Se Plaintiff

Counsel of Record