

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

ANTHONY CHIARELLO and  
CHRISTINE CHIARELLO,

Plaintiffs,

v.

Case No. 3:23-cv-61-TJC-JBT

FENBLIK, LLC, a Florida limited  
liability company and  
FLEETWOOD ALUMINUM  
PRODUCTS, INC., a California  
corporation,

Defendants/Third  
Party Plaintiffs

JONATHAN DAVID SMITH,  
INC., JONATHAN DAVID  
SMITH, INC. and JONATHAN  
DAVID SMITH, INC.

Third Party Defendants

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**ORDER**

This case is before the Court on the Report and Recommendation, Doc. 41. On November 7, 2023, the assigned United States Magistrate Judge issued a Report and Recommendation, Doc. 57, recommending denying Defendant Fenblik, LLC's Motion to Dismiss and directing Fenblik to file an Answer. No party has filed an objection to the Report and Recommendation, and the time

in which to do so has passed. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b). Fenblik has filed an answer. Doc. 58. Upon de novo review of the file and for the reasons stated in the Report and Recommendation, Doc. 57, it is hereby

**ORDERED:**

1. The Report and Recommendation of the Magistrate Judge, Doc. 57, is **ADOPTED** as the opinion of the Court.

2. Fenblik's Motion to Dismiss, Doc. 41, is **DENIED**.

**DONE AND ORDERED** in Jacksonville, Florida, the 3rd day of January, 2024.



*Timothy J. Corrigan*  
TIMOTHY J. CORRIGAN  
United States District Judge

vng

Copies to:

Honorable Joel B. Toomey  
United States Magistrate Judge

Counsel of record