

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

MARIE JOSE SUAREZ BOLIVAR,
EDNA PATRICIA AGUIRRE and
MARIA VANESSA SUAREZ BOLIVAR,

Plaintiffs,

v.

Case No. 8:23-cv-1130-TPB-JSS

GLOBAL DIAGNOSTIC LABS LLC,

Defendant.

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ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on consideration of the report and recommendation of Julie S. Sneed, United States Magistrate Judge, entered on October 26, 2023. (Doc. 43). Judge Sneed recommends that Defendant's Motion to Stay and Compel Arbitration as to Plaintiffs Marie Jose Suarez Bolivar and Maria Vanessa Suarez Bolivar (Doc. 21) be granted in part. No party has filed an objection, and the time to object has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must "make a de novo determination of those portions of the [report and recommendation] to which an objection is made." 28 U.S.C. § 636(b)(1)(C).

When no objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

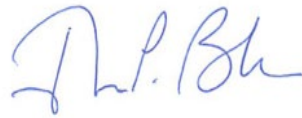
Upon due consideration of the record, including Judge Sneed's report and recommendation, the Court adopts the report and recommendation. Consequently, Defendant's motion to stay and compel arbitration is granted in part.

Accordingly, it is **ORDERED, ADJUDGED, and DECREED:**

- (1) Judge Sneed's report and recommendation (Doc. 43) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) Defendant's Motion to Stay and Compel Arbitration as to Plaintiffs Marie Jose Suarez Bolivar and Maria Vanessa Suarez Bolivar (Doc. 21) is **GRANTED** to the extent that Defendant may enforce the arbitration provisions of the Employment Agreements, with the exception of those provisions to be severed from the agreements as discussed in Judge Sneed's report and recommendation (Doc. 43).

- (3) This matter is stayed as to Plaintiffs Marie Jose Suarez Bolivar and Maria Vanessa Suarez Bolivar pending the completion of arbitration proceedings, and the parties are directed to notify the court within 14 days of the resolution of arbitration proceedings.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 13th day of November, 2023.



TOM BARBER
UNITED STATES DISTRICT JUDGE