

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

XIANFENG WANG and
JINZHOU TOPFUND INDUSTRY CO.
LTD.,

Plaintiffs,

v.

Case No. 8:23-cv-2787-VMC-AAS

THE PARTNERSHIPS AND
UNINCORPORATED ASSOCIATIONS
IDENTIFIED ON SCHEDULE A and
JIN LV,

Defendants.

ORDER

This matter is before the Court on consideration of United States Magistrate Judge Amanda A. Sansone's Report and Recommendation (Doc. # 99), filed on June 25, 2024, recommending that Plaintiff Xianfeng Wang's Motion for Entry of a Preliminary Injunction as to Defendants Identified on Schedule A (Doc. ## 35, 36) be denied.

On July 9, 2024, Mr. Wang filed an objection, arguing that Defendants' evidence regarding his likelihood of success and irreparable harm lacks substantial merit, and that the public interest weighs in favor of granting a preliminary injunction. (Doc. # 108). Defendants CVNC USA and SOLSHINE responded to the objection on July 23, 2024. (Doc. # 113).

The Court accepts and adopts the Report and Recommendation, overrules the objection, and denies the motion for a preliminary injunction.

Discussion

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); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendation. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994).

Upon due consideration of the record, including Judge Sansone's Report and Recommendation as well as the objection thereto, the Court overrules the objection and adopts the Report and Recommendation. The Court agrees with Judge Sansone's well-reasoned findings of fact and conclusions of


law. The Report and Recommendation thoughtfully addresses the issues presented, and the objection does not provide a basis for rejecting the Report and Recommendation.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 99) is **ACCEPTED** and **ADOPTED**.
- (2) Plaintiff Xianfeng Wang's Motion for Entry of a Preliminary Injunction as to Defendants Identified on Schedule A (Doc. ## 35, 36) is **DENIED**.

DONE and **ORDERED** in Chambers in Tampa, Florida, this 24th day of July, 2024.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE