

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

TOM BRINKMAN

Plaintiff,

v.

CASE NO. 3:16cv422-MCR-CJK

MITCHELL-PROFFITT COMPANY,
et al.,

Defendants.

ORDER

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated August 31, 2018. ECF No. 60. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). I have made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, I have determined the Report and Recommendation should be adopted.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation is adopted and incorporated by reference in this Order.
2. Defendants' Dispositive Motion for Summary Judgment, ECF No. 44, is **GRANTED** and Plaintiff's claims against the Defendants are **DISMISSED** with prejudice.
3. The clerk shall enter judgment in favor of the Defendants and close the file.

DONE AND ORDERED this 28th day of September, 2018.

s/ M. Casey Rodgers

M. CASEY RODGERS
UNITED STATES DISTRICT JUDGE