

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
WEST PALM BEACH DIVISION

CASE NO. 21-80546-CIV-CANNON-Reinhart

JASON GOLDSTEIN,

Plaintiff,

v.

LUXOTTICA OF AMERICA INC.,

Defendant.

ORDER ADOPTING MAGISTRATE JUDGE'S
REPORT AND RECOMMENDATIONS

THIS CAUSE is before the Court upon Defendant's Motion to Dismiss Plaintiff's First Amended Class Action Complaint (the "Motion") [ECF No. 22], filed on May 17, 2021. On August 4, 2021, the Court referred the case to Magistrate Judge Bruce E. Reinhart for a Report and Recommendation on any dispositive matters [ECF No. 32]. On August 27, 2021, Judge Reinhart issued a Report and Recommendation ("R&R") recommending that the Motion be granted [ECF No. 33]. The R&R states that the parties shall file any objections within fourteen days of the date of service of the R&R [ECF No. 33, pp. 5–6]. Plaintiff timely filed an Objection to the R&R on September 7, 2021 [ECF No. 35].

The Court has conducted a *de novo* review of the R&R, Plaintiff's Objection, and the record in this case and is otherwise fully advised in the premises. *See Williams v. McNeil*, 557 F.3d 1287, 1291 (11th Cir. 2009) (citing 28 U.S.C. § 636(b)(1)). Upon review, the Court finds the R&R to be well reasoned and correct. The Court therefore agrees with the analysis in the R&R and concludes that the Motion should be **GRANTED** for the reasons set forth therein.

CASE NO. 21-80546-CIV-CANNON-Reinhart

Accordingly, it is **ORDERED and ADJUDGED** as follows:

1. The R&R [ECF No. 33] is **ADOPTED**.
2. Defendant's Motion to Dismiss Plaintiff's First Amended Class Action Complaint [ECF No. 22] is **GRANTED**.
3. Plaintiff's First Amended Class Action Complaint [ECF No. 16] is **DISMISSED WITH PREJUDICE**.
4. The Clerk of Court shall **CLOSE** this case.

DONE AND ORDERED in Chambers at Fort Pierce, Florida this 8th day of September 2021.

A handwritten signature in black ink, appearing to read 'Aileen Cannon', written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record