

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION

MARSHALL BELL, II, et al.,

Plaintiffs,

v.

PORTFOLIO RECOVERY
ASSOCIATES, LLC,

Defendant.

CIVIL ACTION NO.
1:21-CV-04819-JPB

ORDER ADOPTING FINAL REPORT AND RECOMMENDATION

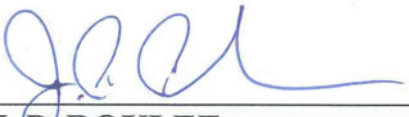
This matter is before the Court on the Magistrate Judge's Final Report and Recommendation [Doc. 49]. No objections have been filed. This Court finds as follows:

Absent objection, a district judge has broad discretion to accept, reject or modify a magistrate judge's proposed findings and recommendations. United States v. Raddatz, 447 U.S. 667, 680 (1980). Because no objections have been filed, and in accordance with 28 U.S.C. § 636(b)(1) and Rule 72 of the Federal Rules of Civil Procedure, the Court has reviewed the Final Report and Recommendation for clear error and finds none.

Accordingly, the Court **APPROVES AND ADOPTS** the Final Report and Recommendation [Doc. 49] as the judgment of the Court. For the reasons stated in the Magistrate Judge's Report and Recommendation, Plaintiffs' Motion to Dismiss [Doc. 40] is **GRANTED. IT IS HEREBY ORDERED** that this matter is **DISMISSED WITH PREJUDICE**. Plaintiffs' Motion for Summary Judgment [Doc. 36] is **DENIED** as moot. The Clerk is **DIRECTED** to close this case.

No later than July 3, 2023, Plaintiffs and their counsel are **HEREBY ORDERED** to show cause why they should not be ordered to pay the reasonable costs and attorney's fees of Defendant incurred in defending this action. **IT IS FURTHER ORDERED** that if Plaintiffs and their counsel oppose such an award of fees, Plaintiffs and their counsel shall show cause why Hansz should not be deposed. Even though the case is closed, the Clerk is **DIRECTED** to return this matter to the Magistrate Judge to determine whether to impose sanctions.

SO ORDERED this 12th day of June, 2023.



J. P. BOULEE
United States District Judge