

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

BAIT PRODUCTIONS PTY LTD.,

Plaintiff,

v.

Case No. 8:12-cv-2464-T-33MAP

DOES 1-36,

Defendants.

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**ORDER**

This matter is before the Court on consideration of United States Magistrate Judge David A. Baker's December 14, 2012, Report and Recommendation, which was filed in the present case as well as in the related cases listed in Exhibit A. Judge Baker recommends that all of Bait Productions PYT LTD.'s claims, except those asserted against the respective Doe 1 Defendants be severed and that Bait Productions be ordered to file separate complaints against the other Doe Defendants against whom it wishes to proceed, along with separate filing fees, within 14 days of this Order. Judge Baker also recommends that all Bait Production cases in the Middle District (pending and future) be assigned to a single District-Magistrate Judge pair to facilitate consistent case management.

Bait Productions filed a timely Objection to the Report and Recommendation. However, upon consideration, the Court

overrules the Objection and adopts the Report and Recommendation of the Magistrate Judge with a specific exception. The Court does not adopt the Report and Recommendation to the extent that it recommends that all present Bait Productions cases be assigned to a single District-Magistrate judge pair. Two of the related cases (8:12-cv-02465-JSM-TGW and 8:12-cv-02468-JSM-MAP) will not be reassigned because the presiding District judge elected to retain these cases. The Report and Recommendation is adopted in all other respects.

#### **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), cert. denied, 459 U.S. 1112 (1983). 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 recommendations. 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) (Table).

After conducting a careful and complete review of the findings, conclusions and recommendations, and giving *de novo* review to matters of law, the Court accepts the factual findings and legal conclusions of the Magistrate Judge and the recommendation of the Magistrate Judge, with the limited exception noted above.


Accordingly, it is now

**ORDERED, ADJUDGED, and DECREED:**

- (1) The Report and Recommendation is **ACCEPTED** and **ADOPTED** in part.
- (2) All claims except those asserted against Doe 1 are **SEVERED** and **DISMISSED WITHOUT PREJUDICE**.
- (3) Bait Productions may re-file separate actions against as many of the Doe Defendants as Bait Productions wishes to pursue, with a new filing fee to be paid as to each Defendant, **WITHIN FOURTEEN DAYS OF THE DATE OF THIS ORDER**.
- (4) With the exception of cases 8:12-cv-02465-JSM-TGW and 8:12-cv-02468-JSM-MAP, all Bait Productions cases in the Middle District of Florida (pending and future) shall be

assigned to the undersigned District Judge with the Honorable Mark A. Pizzo to be assigned as Magistrate Judge.

**DONE** and **ORDERED** in Tampa, Florida, this 17th day of January, 2013.

  
VIRGINIA M. HERNANDEZ COVINGTON  
UNITED STATES DISTRICT JUDGE

Copies: All Counsel and Parties of Record

**EXHIBIT A  
RELATED CASES**

2:12-cv-00628-VMC-DNF Bait Productions Pty Ltd. v. Does 1-26

2:12-cv-00629-VMC-DNF Bait Productions Pty Ltd. v. Does 1-44

3:12-cv-01204-VMC-JRK Bait Productions Pty Ltd. v. Does 1-66

3:12-cv-01205-VMC-JBT Bait Productions Pty Ltd. v. Does 1-42

3:12-cv-01252-VMC-JBT Bait Productions Pty Ltd. v. Does 1-71

3:12-cv-01274-VMC-TEM Bait Productions Pty Ltd. v. Does 1-78

5:12-cv-00644-VMC-PRL Bait Productions Pty Ltd. v. Does 1-40

5:12-cv-00645-VMC-PRL Bait Productions Pty Ltd. v. Does 1-36

6:12-cv-01637-VMC-DAB Bait Productions Pty Ltd. v. Does 1-73

6:12-cv-01721-VMC-GJK Bait Productions Pty Ltd. v. Does 1-31

6:12-cv-01779-VMC-TBS Bait Productions Pty Ltd. v. Does 1-81

6:12-cv-01780-VMC-DAB Bait Productions Pty Ltd. v. Does 1-96

8:12-cv-02464-VMC-MAP Bait Productions Pty Ltd. v. Does 1-36

8:12-cv-02466-VMC-MAP Bait Productions Pty Ltd. v. Does 1-70

8:12-cv-02467-VMC-AEP Bait Productions Pty Ltd. v. Does 1-72

8:12-cv-02469-VMC-TGW Bait Productions Pty Ltd. v. Does 1-71

8:12-cv-02471-VMC-TGW Bait Productions Pty Ltd. v. Does 1-64

8:12-cv-02554-VMC-TGW Bait Productions Pty Ltd. v. Does 1-72

8:12-cv-02556-VMC-TGW Bait Productions Pty Ltd. v. Does 1-52

8:12-cv-02642-VMC-MAP Bait Productions Pty Ltd. v. Does 1-95

8:12-cv-02643-VMC-TBM Bait Productions Pty Ltd. v. Does 1-82