

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division

**Case Number: 07-23322-CIV-MORENO**

GREAT LAKES REINSURANCE (UK) PLC., a  
foreign corporation,

Plaintiff,

vs.

RAFAEL JORGE ROCA and ELENA MARIA  
ROCA,

Defendants.

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**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION  
AND GRANTING IN PART AND DENYING IN PART THE PARTIES' MOTIONS FOR  
SUMMARY JUDGMENT**

THE MATTER was referred to the Honorable Edwin G. Torres, United States Magistrate Judge for a Report and Recommendation on Plaintiff's Motion for Summary Judgment (**D.E. No. 23**), filed on **October 28, 2008** and on Defendant's Motion for Summary Judgment (**D.E. No. 32**), filed on **October 31, 2008**. The Magistrate Judge filed a Report and Recommendation (**D.E. No. 57**) on **January 6, 2009**. The Court has reviewed the entire file and record. The Court has made a *de novo* review of the issues that the objections to the Magistrate Judge's Report and Recommendation present, and being otherwise fully advised in the premises, it is

**ADJUDGED** that United States Magistrate Judge Edwin G. Torres's Report and Recommendation (**D.E. No. 57**) on **January 6, 2009** is **AFFIRMED** and **ADOPTED**. Accordingly, it is

**ADJUDGED** that:

- (1) Plaintiff's Motion for Summary Judgment as to Count II is **DENIED**.
- (2) Defendant's Motion for Summary Judgment as to Count I is **GRANTED** and as to Count II is **DENIED**.

DONE AND ORDERED in Chambers at Miami, Florida, this 27th day of January, 2009.



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FEDERICO A. MORENO  
UNITED STATES DISTRICT JUDGE

Copies provided to:  
United States Magistrate Judge Edwin G. Torres  
Parties and Counsel of Record