

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

**CASE NO. 21-81099-CIV-CANNON/Reinhart**

**D. P. et al.,**

Plaintiffs,

v.

**SCHOOL BOARD OF PALM BEACH COUNTY et al.,**

Defendants.

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**ORDER ACCEPTING CONCLUSIONS IN MAGISTRATE JUDGE'S  
REPORT AND RECOMMENDATION [ECF No. 73]  
AND DISPOSING OF OTHER MOTIONS**

**THIS CAUSE** comes before the Court upon Defendants' Motion to Dismiss Plaintiffs' Amended Complaint (the "Motion") [ECF No. 45], filed on August 19, 2021. On August 20, 2021, the Court referred the Motion to Magistrate Judge Bruce E. Reinhart for a Report and Recommendation [ECF No. 46]. On December 14, 2021, Judge Reinhart issued a Report (the "Report") recommending that Defendants' Motion be granted in part and denied in part [ECF No. 73 pp. 1, 75–76]. Neither party has filed an objection to the Report, and the time to do so has expired.

Upon review, the Court agrees with the conclusions in the Report. The Court takes no position on the ultimate merits of Plaintiffs' claims but simply determines that, under the standards of Federal Rule of Civil Procedure 12(b)(6), Plaintiffs have alleged sufficient facts to withstand Defendants' Motion to Dismiss on certain Counts in the Amended Complaint.

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

1. The Report [ECF No. 73] is **ACCEPTED**.





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parties' Motions for Leave to File Excess Pages [ECF No. 145, 147] are **DENIED WITHOUT PREJUDICE**. The parties may refile these motions as necessary in conjunction with pre-trial motions to be set by separate Order.

**DONE AND ORDERED** in Chambers at Fort Pierce, Florida, this 23rd day of February 2023.



**AILEEN M. CANNON**  
**UNITED STATES DISTRICT JUDGE**

cc: counsel of record