

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION**

MATTHEW WEISS,

Plaintiff,

v.

Case No: 6:24-cv-2231-PGB-RMN

WESTLAKE SERVICES LLC,

Defendant.

_____ /

ORDER

This cause comes before the Court on the following filings:

1. Defendant Westlake Services, LLC (“**Defendant**”) Renewed Motion for Attorney’s Fees, Sanctions, and Injunctive Relief (Doc. 32);
2. Magistrate Judge Robert M. Norway’s Report and Recommendation (Doc. 36 (the “**Report and Recommendation**”)); and
3. Plaintiff Matthew Weiss’s (“**Plaintiff**”) Objection to the Report and Recommendation (Doc. 37 (the “**Objection**”)), and Defendant’s response thereto (Doc. 42).

Upon consideration, the Objection (Doc. 37) is due to be overruled, and the Report and Recommendation (Doc. 36) is due to be adopted and confirmed.

I. BACKGROUND

The procedural and factual background as set forth in the Report and Recommendation are hereby adopted and made a part of this Order.¹ (*See* Doc. 36, pp. 1–4).

II. LEGAL STANDARD

A district judge “may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1). The district judge “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.”² *Id.* And “[t]he judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.” *Id.* However, “[f]rivolous, conclusive, or general objections need not be considered by the district court.” *United States v. Schultz*, 565 F.3d 1353, 1361 (11th Cir. 2009) (citation omitted).

III. DISCUSSION

Simply put, Plaintiff’s Objection to the Report and Recommendation does not present a sufficient basis for the Court to reject the Report and Recommendation. (*See* Docs. 36, 37). The objections Plaintiff presents are

¹ The Court notes that, after Plaintiff objected to the Report and Recommendation, Plaintiff then appealed the Report and Recommendation to the United States Court of Appeals for the Eleventh Circuit. (Doc. 38). However, such an appeal was ultimately dismissed upon a mandate from the United States Court of Appeals for the Eleventh Circuit. (Doc. 43).

² The district court must consider the record and factual issues independent of the magistrate judge’s report, as *de novo* review is essential to the constitutionality of § 636. *Jeffrey S. v. State Bd. of Educ.*, 896 F.2d 507, 513 (11th Cir. 1990).

frivolous and conclusive, thus not warranting consideration by the Court. (Doc. 37); *see Schultz*, 565 F.3d at 1361. Nevertheless, the Court conducted a *de novo* review and agrees with the findings and conclusions identified in the Report and Recommendation.

IV. CONCLUSION

For these reasons, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff's Objection (Doc. 37) to the Report and Recommendation is **OVERRULED**;
2. The Report and Recommendation (Doc. 36), filed on July 15, 2025, is **ADOPTED** and **CONFIRMED** and made a part of this Order;
3. Defendant's Renewed Motion for Attorney's Fees, Sanctions, and Injunctive Relief (Doc. 32) is **GRANTED IN PART AND DENIED IN PART**;
4. Plaintiff's Complaint against Defendant Westlake Services, LLC is now **DISMISSED WITH PREJUDICE**;
5. Matthew Weiss is **DESIGNATED** a vexatious litigant;
6. Matthew Weiss is enjoined from making any further filings related to the subject matter of this litigation, or violations of the Telephone Consumer Protection Act; the Fair Debt Collection Practices Act; and the Florida Consumer Collection Practices Act in the Middle District of Florida against Westlake Services, LLC. *See In re: Vexatious*

Litigants in the Orlando Division, No. 6:23-mc-03-RBD (Doc. 1, p. 3) (M.D. Fla. Jan. 18, 2023);

7. Matthew Weiss is hereby restricted from filing a pleading to open a new case. Any further pleading filed by Matthew Weiss in the Orlando Division of the Middle District of Florida will be assigned to and reviewed by the judges assigned to this case. *See In re: Vexatious Litigants in the Orlando Division*, No. 6:23-mc-03-RBD (Doc. 1, p. 4) (M.D. Fla. Jan. 18, 2023); and
8. Defendant's Motion for Attorney's Fees, Sanctions, and Injunctive Relief (Doc. 32) is otherwise **DENIED**.

DONE AND ORDERED in Orlando, Florida on August 22, 2025.


PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties