

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

CASE NO. 25-80339-CIV-CANNON/Reinhart

ENGAJER INC.,

Plaintiff,

v.

MICROSOFT CORPORATION, *et al*,

Defendants.

**ORDER ACCEPTING MAGISTRATE JUDGE’S REPORT AND RECOMMENDATION
[ECF No. 15], DISMISSING COMPLAINT, AND CLOSING CASE**

THIS CAUSE comes before the Court upon the Magistrate Judge’s Report and Recommendation Regarding Dismissal and Order Directing the Clerk of Court to Assign a District Judge (the “Report”), issued on April 23, 2025 [ECF No. 15].

BACKGROUND

On March 12, 2025, pro se Plaintiff filed a one-count Complaint for patent infringement against Microsoft, OpenAI, Soul Machines, Inc., Meta, and “Does 1-10” [ECF No. 1]. The case was assigned to Magistrate Judge Bruce Reinhart pursuant to Administrative Order 2025-11. That same day, Magistrate Judge Reinhart entered an Order informing Plaintiff that it could not proceed pro se, given its status as a corporate entity [ECF No. 3]. *See Palazzo v. Gulf Oil Corp.*, 764 F.2d 1381, 1385-1386 (11th Cir. 1985), *cert. denied*, 474 U.S. 1058 (1986). Plaintiff subsequently filed two motions for extension of time to obtain counsel, which Magistrate Judge Reinhart granted in part; he also advised Plaintiff that the action would be dismissed if it failed to obtain counsel [ECF Nos. 7, 8, 11, 12]. Plaintiff also filed a Motion to Appoint Counsel, which was denied [ECF Nos. 9, 10].

Plaintiff then filed a third motion for an extension of time to obtain counsel [ECF No. 13], which Magistrate Judge Reinhart denied [ECF No. 14]. A few days later, Magistrate Judge Reinhart issued the instant Report recommending that the case be dismissed by this Court without prejudice to permit Plaintiff additional time to obtain counsel [ECF No. 15]. Objections to the Report were due on May 7, 2025 [ECF No. 15 p. 3], and no party has filed objections.

LEGAL STANDARDS

To challenge the findings and recommendations of a magistrate judge, a party must file specific written objections identifying the portions of the proposed findings and recommendation to which objection is made. *See* Fed. R. Civ. P. 72(b)(3); *Heath v. Jones*, 863 F.2d 815, 822 (11th Cir. 1989); *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). A district court reviews de novo those portions of the report to which objection is made and 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). To the extent a party fails to object to parts of the magistrate judge's report, the Court may accept the recommendation so long as there is no clear error on the face of the record. *Macort*, 208 F. App'x at 784. Legal conclusions are reviewed de novo, even in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994).

DISCUSSION AND CONCLUSION

Following review, the Court finds no clear error of fact or error of law in the Report [ECF No. 15]. Accordingly, it is hereby

ORDERED AND ADJUDGED as follows:

1. The Report and Recommendation [ECF No. 15] is **ACCEPTED**.

CASE NO. 25-80339-CIV-CANNON/Reinhart

2. This action is **DISMISSED WITHOUT PREJUDICE**. Plaintiff, a corporate entity, may initiate a new action as permitted by law after it obtains counsel eligible to practice law in this District.
3. Nothing in this Order should be construed as an indication of the merits of any of Plaintiff's claims.
4. All pending motions are **DENIED AS MOOT**.
5. The Clerk shall **CLOSE** this case.
6. **The Clerk shall MAIL a copy of this Order to Plaintiff at the address listed below and file a Notice of Compliance.**

ORDERED in Chambers at Fort Pierce, Florida this 13th day of May 2025.

A handwritten signature in black ink, appearing to read 'Aileen Cannon', is written over a horizontal line.

AILEEN M. CANNON
UNITED STATES DISTRICT JUDGE

cc: counsel of record

Plaintiff Engajer Inc.
3300 S. Dixie Highway
West Palm Beach, Florida 33405