

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

4 DAKOTA VENTURES, LLC,  
a Florida limited liability company,  
Plaintiff,

v.

Case No.: 3:15cv51/MCR/EMT

SEGER COMMERCIAL PROPERTIES, LLC,  
a Florida limited liability company;  
CRESTVIEW HELEN BACK, LLC,  
a Florida limited liability company;  
HELEN BACK AGAIN CRESTVIEW, LLC,  
a Florida limited liability company;  
DUDE-N-BRAH, INC. a Florida corporation  
d/b/a/ Helen Back; CHRISTOPHER SEHMAN  
a/k/a CHRIS SEHMAN; YENTI SEHMAN;  
REWARDS NETWORK ESTABLISHMENT  
SERVICES, INC., a Delaware corporation; and  
FIRST CITY BANK OF FLORIDA, A Florida corporation,

Defendants,

v.

TRIFECTA CONSULTING, LLC,  
A Florida limited liability company;  
CRABISLAND.COM, LLC, a Florida  
limited liability company; ALS ASSETS,  
LLC, a Florida limited liability company;  
L.C.S. GENERAL HOLDINGS, LLC,  
A Florida limited liability company;  
ROBERT H. POWELL, an individual;  
BRIDGETTE CARNLEY, an individual; and  
PRIME'D IN DESTIN, LLC, a Florida limited  
liability company,

Third Party Defendants.

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**ORDER**

This cause comes on for consideration upon the magistrate judge's Report and Recommendation dated September 9, 2021. (ECF No. 138). The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1).

Having considered the Report and Recommendation, and having reviewed the timely filed objections *de novo*, see ECF No. 140, I have determined that the Report and Recommendation should be adopted. While 4 Dakota objects to the magistrate judge having accepted all of the debtor's allegations as fact without conducting a hearing, the undersigned concludes that no evidentiary hearing was necessary. The Report and Recommendation is based on the existing record and an uncontradicted affidavit of the debtor. On *de novo* review, the objections are overruled.

Accordingly, it is now **ORDERED** as follows:

1. The magistrate judge's Report and Recommendation (ECF No. 138) is adopted and incorporated by reference in this order.
2. Defendant "Sehman's Motion to Vacate Orders Granting Motion for Assignment" (ECF No. 134) is **GRANTED**, and this Court's orders of January 6

and January 15, 2021 (ECF Nos. 129 and 130) are **VACATED**.

**DONE AND ORDERED** this 28th day of September, 2021.

*M. Casey Rodgers*

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**M. CASEY RODGERS**  
**UNITED STATES DISTRICT JUDGE**