

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA**

CASE NO: 25-cv-21930-JB/Torres

FENYANG AJAMU STEWART,

Plaintiff,

v.

ROYAL CARIBBEAN CRUISES, LTD.,

Defendant,

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATIONS

THIS CAUSE was referred to the Honorable Edwin G. Torres, United States Magistrate Judge, for a Report and Recommendation on Defendant’s Motion to Dismiss Plaintiff’s Amended Complaint, ECF No. [28]. *See* ECF No. [24]. Magistrate Judge Torres filed a Report and Recommendation (“R&R”), recommending that the Motion to Dismiss be granted in part and denied in part. ECF No. [56]. Plaintiff did not file any objections to the R&R. Defendant filed limited objections, specifically to that portion of the R&R which recommends that Defendant’s motion to dismiss Plaintiff’s demand for punitive damages be denied (the “Objections”), ECF No. [58]. Plaintiff did not respond to the Objections.

This Court has a duty to “make a *de novo* determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b). It also may “accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge.” *Id.* The Court, having conducted a *de novo* review of the record and the issues presented in

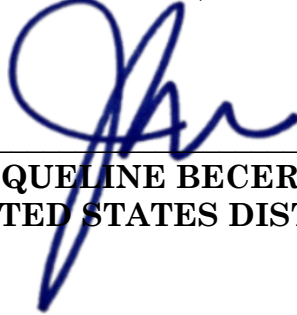
Defendant's Objections, agrees with Magistrate Judge Torres that Defendant's motion to dismiss Plaintiff's demand for punitive damages should be denied and that the issue may be revisited at summary judgment. No other objections to the R&R were raised.

Accordingly, after careful consideration, it is hereby **ORDERED AND ADJUDGED** that:

1. Defendant's Objections, ECF No. [58], are **OVERRULED**.
2. United States Magistrate Judge Torres' Report and Recommendation, ECF No. [56], is **AFFIRMED AND ADOPTED**.
3. Defendant's Motion to Dismiss Plaintiff's Amended Complaint, ECF No. [28], is **GRANTED IN PART AND DENIED IN PART**.
4. Counts IV and V of the Amended Complaint are **DISMISSED WITH PREJUDICE**.
5. Counts VI, VII, VIII, IX, and X of the Amended Complaint are **DISMISSED WITHOUT PREJUDICE** and with leave to amend on a proper showing and motion.
6. Plaintiff's request for injunctive relief is **STRICKEN** from the Amended Complaint.
7. Plaintiff's request for declaratory relief is **STRICKEN** from the Amended Complaint.
8. The remainder of the Motion to Dismiss is **DENIED**.

9. If Plaintiff seeks to amend Counts VI, VII, VIII, IX, and X of the Amended Complaint, he must file a motion for leave to amend by **March 3, 2026**.

DONE AND ORDERED in Miami, Florida, this 17th day of February, 2026.

A handwritten signature in blue ink, appearing to read 'JB', is written over a horizontal line.

JACQUELINE BECERRA
UNITED STATES DISTRICT JUDGE