

IN THE UNITED STATES DISTRICT COURT FOR THE  
NORTHERN DISTRICT OF FLORIDA  
PENSACOLA DIVISION

EMERALD SURF CONDOMINIUM  
OWNERS' ASS'N, INC.,  
Plaintiff,

v.

Case No. 3:08cv101/WS/MD

LANDMARK AMERICAN  
INSURANCE COMPANY,  
Defendant.

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REPORT AND RECOMMENDATION

This matter was referred to the undersigned for a recommendation on attorney fees after plaintiff's motion to remand was granted. The court has now been informed that the parties have settled all their claims, including attorney fees in this court (docs. 56, 57). Therefore, no further action is necessary.

Accordingly, it is respectfully RECOMMENDED that the court enter final judgment in favor of plaintiff with the parties to bear their respective costs.

At Pensacola, Florida, this 12<sup>th</sup> day of November, 2008.

/s/ *Miles Davis*

MILES DAVIS  
UNITED STATES MAGISTRATE JUDGE

NOTICE TO PARTIES

Any objections to these proposed findings and recommendations must be filed within ten days after being served a copy hereof. Any different deadline that may appear on the electronic docket is for the court's internal use only, and does not control. A copy of any objections shall be served upon any other parties. Failure to object may limit the scope of appellate review of factual findings. See 28 U.S.C. § 636; *United States v. Roberts*, 858 F.2d 698, 701 (11<sup>th</sup> Cir. 1988).