

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

STATE FARM MUTUAL AUTOMOBILE  
INSURANCE CO.,

Plaintiff,

Civil Case No. 18-13257  
Honorable Linda V. Parker

v.

MAX REHAB PHYSICAL THERAPY, LLC,  
MAXIMUM REHAB PHYSICAL THERAPY, LLC,  
JOSEPH LABIB, and RENEE LABIB,

Defendants.

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**OPINION AND ORDER ADOPTING MAGISTRATE JUDGE'S  
SEPTEMBER 26, 2022 REPORT & RECOMMENDATION (ECF NO. 118)**

Plaintiff commenced this lawsuit against Defendants on October 17, 2018.

On March 23, 2021, Plaintiff filed a Motion for Default Judgment against Defendants based on their discovery abuses (ECF No. 99), which this Court referred to Magistrate Judge Elizabeth A. Stafford (ECF No. 100). Magistrate Judge Stafford issued a report and recommendation on June 28, 2021, in which she recommended that the Court grant Plaintiff's motion. (ECF No. 106.) On September 2, 2021, this Court adopted that recommendation and referred the issue of damages to Magistrate Judge Stafford. (ECF No. 107.)

After extensive briefing by the parties, Magistrate Judge Stafford issued a Report and Recommendation (R&R) on September 26, 2022, in which she

recommends that the Court award damages of \$1,410,308.00 to Plaintiff and enter a declaratory judgment that Plaintiff need not pay any unpaid claims or charges submitted by Defendants while this case was pending. (ECF No. 118.) At the conclusion of the R&R, Magistrate Judge Stafford advises the parties that they may object to and seek review of the R&R within fourteen days of service upon them. (*Id.* at Pg ID 4208-09.) Magistrate Judge Stafford further specifically advises the parties that “if a party fails to timely file objections, any further appeal is waived.” (*Id.* at Pg ID 3282-83.) Neither party filed objections to the R&R.

The Court has carefully reviewed the R&R and concurs with the conclusions reached by Magistrate Judge Stafford. The Court therefore adopts the R&R and is entering a Judgment consistent with Magistrate Judge Stafford’s recommendations.

**SO ORDERED.**

s/ Linda V. Parker  
LINDA V. PARKER  
U.S. DISTRICT JUDGE

Dated: December 1, 2022