

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

TRAVELERS INDEMNITY COMPANY  
OF CONNECTICUT and ST. PAUL  
FIRE & MARINE INSURANCE  
COMPANY,

Plaintiffs,

v.

Case No: 2:13-cv-670-FtM-38CM

ATTORNEY'S TITLE INSURANCE  
FUND, INC., FLORIDA TITLE CO.,  
SECTION 10 JOINT VENTURE,  
LLP, SKY PROPERTY VENTURE,  
LLC, CAS GROUP, INC., STEPHAN,  
COLE & ASSOCIATES, LLC and  
INTEGRA REALTY RESOURCES  
SOUTHWEST FLORIDA, INC.,

Defendants.

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**ORDER**<sup>1</sup>

Before the Court is United States Magistrate Judge Carol Mirando's Report and Recommendation (R&R) ([Doc. 461](#)), recommending that Plaintiffs Travelers Indemnity Company of Connecticut and St. Paul Fire & Marine Insurance Company's Renewed Verified Motion to Tax Costs (Section 10) ([Doc. 456](#)) be granted in part and their Renewed Motion for Attorneys' Fees and Costs ([Doc. 458](#)) be granted. After Judge Mirando entered

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the R&R, Plaintiffs filed a Notice of Withdrawal of Their Renewed Motion for Attorneys' Fees and Costs ([Doc. 462](#)). No party has objected to the R&R, and the period to do so has lapsed. This matter is ripe for review.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. See [28 U.S.C. § 636\(b\)\(1\)](#); see also *Williams v. Wainwright*, [681 F.2d 732 \(11th Cir. 1982\)](#). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, *Garvey v. Vaughn*, [993 F.2d 776, 779 n.9 \(11th Cir. 1993\)](#), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations, [28 U.S.C. § 636\(b\)\(1\)\(C\)](#). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See *Cooper-Houston v. Southern Ry. Co.*, [37 F.3d 603, 604 \(11th Cir. 1994\)](#).

Here, Judge Mirando reviewed the costs requested by Plaintiffs and determined that they should be granted, except for the \$17,182.30 requested for videographer and videotape fees for depositions. Judge Mirando also determined that Plaintiffs are entitled to reasonable attorneys' fees, but Plaintiffs have since withdrawn their motion for attorneys' fees. After independently examining the file and on consideration of Judge Mirando's findings and recommendations, the Court accepts and adopts the R&R, except as affected by Plaintiffs' withdrawal of its motion.

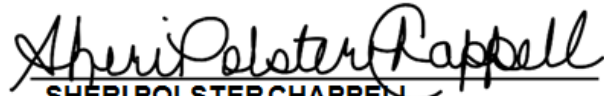
Accordingly, it is now

**ORDERED:**

Judge Carol Mirando's Report and Recommendation (R&R) ([Doc. 461](#)) is **ACCEPTED and ADOPTED in part.**

- (1) Plaintiffs Travelers Indemnity Company of Connecticut and St. Paul Fire & Marine Insurance Company's Renewed Verified Motion to Tax Costs (Section 10) ([Doc. 456](#)) is **GRANTED in part and DENIED in part**, and Plaintiffs are awarded **\$36,223.80** in costs.
- (2) Plaintiffs Travelers Indemnity Company of Connecticut and St. Paul Fire & Marine Insurance Company's Renewed Motion for Attorney's Fees and Costs ([Doc. 458](#)) is **DENIED without prejudice as moot**.
- (3) The Clerk of the Court is **DIRECTED** to amend the judgment to include the amount awarded herein.

**DONE** and **ORDERED** in Fort Myers, Florida this 29th day of January, 2019.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record