

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

MID-CONTINENT CASUALTY  
COMPANY, a foreign corporation

Plaintiff,

v.

Case No: 2:17-cv-55-FtM-38CM

G.R. CONSTRUCTION  
MANAGEMENT, INC. and DANA M.  
DICARLO,

Defendants.

---

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

This matter comes before the Court on United States Magistrate Judge Carol Mirando's Report and Recommendation ([Doc. 60](#)) on G.R. Construction Management, Inc.'s Motion for Attorney's Fees ([Doc. 51](#)). Judge Mirando recommends that G.R.'s Motion be granted in part and G.R. be awarded \$26,825.00 in attorney's fees. ([Doc. 60](#)). 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

---

<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

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).

After conducting an independent examination of the file and on consideration of Judge Mirando's findings and recommendation, the Court accepts the Report and Recommendation.

Accordingly, it is now

**ORDERED:**

1. The Report and Recommendation (Doc. 60) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
2. G.R. Construction Management, Inc.'s Motion for Attorney's Fees (Doc. 51) is **GRANTED in part and DENIED in part**. Defendant G.R. Construction Management, Inc. is awarded \$26,825.00 in attorney's fees.
3. The Clerk of Court is **DIRECTED** to enter an amended judgment awarding Defendant G.R. Construction Management, Inc. \$26,825.00 in attorney's fees.

**DONE and ORDERED** in Fort Myers, Florida this 12th day of June 2018.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record