

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANTHONY MELIKHOV an
individual; MELMAR HOLDINGS,
LLC, an Illinois limited liability
company; and U4G GROUP, LLC, an
Illinois limited liability company,

Plaintiff,

v.

Case No. 2:19-cv-00248-JLB-MRM

LADISLAV DRAB, an individual; CE
GROUP, a foreign entity; ČESKÁ ENERGIE
A.S., a foreign entity, and ČESKÁ
PLYNÁRENSKÁ A.S., a foreign entity,

Defendants.

ORDER

The Magistrate Judge filed a Report and Recommendation (“R&R”) in this matter on September 28, 2020, recommending the Judgment Creditors’ motion for writs of execution against nonparties Naples Energy, LLC, Czech Energy USA, LLC, and Hana Drabova (Doc. 106) be denied in part and denied without prejudice in part. (Doc. 117.) No objections have been filed.

A district judge may accept, reject, or modify the magistrate judge’s R&R. 28 U.S.C. § 636(b)(1). The factual findings in the R&R need not be reviewed de novo in the absence of an objection, but legal conclusions are always reviewed de novo. Id.; Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993).

After an independent review of the record—and noting that no objections have been filed—the Court agrees with the well-reasoned R&R.

Accordingly, it is **ORDERED**:

1. The Report and Recommendation (Doc. 117) is **ADOPTED**.
2. The Judgment Creditors' motion for writs of execution against nonparties Naples Energy, LLC, Czech Energy USA, LLC, and Hana Drabova (Doc. 106) is **DENIED IN PART** and **DENIED WITHOUT PREJUDICE IN PART**.
3. The Court **DENIES** the Judgment Creditors' motion (Doc. 106) to the extent it seeks to recover the civil fine assessed by the Court against the nonparties for civil contempt (Doc. 54).
4. The Court **DENIES WITHOUT PREJUDICE** the Judgment Creditors' motion (Doc. 106) to the extent it seeks to recover the Court's previous awards of attorneys' fees and costs.
5. The Clerk of Court is **DIRECTED** to enter final judgment in favor of the Judgment Creditors and against:
 - a. Naples Energy, LLC, Czech Energy USA, LLC, and Hana Drabova **in the amount of \$42,466.50 in attorneys' fees and \$1,549.39 in costs** (Doc. 87 at 11).
 - b. Judgment Debtor Ladislav Drab **in the amount of \$2,966.50 in attorneys' fees** (Doc. 99 at 5; Doc. 109 at 5).

6. After the Clerk of Court enters final judgments as directed above, the Judgment Creditors may renew their motion for writs of execution solely as to these awards of attorneys' fees.

ORDERED in Fort Myers, Florida, on December 21, 2020.

A handwritten signature in black ink that reads "John L. Badalamenti". The signature is written in a cursive style with a large initial "J".

JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE