

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

MICHAEL S. GEISLER, et al.,

Plaintiffs,

vs.

Case No. 3:12-cv-1189-J-34PDB

FEDEX GROUND PACKAGE SYSTEM, INC.,

Defendant.

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ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 63; Report), entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge, on August 28, 2017. In the Report, Judge Barksdale recommends that Defendant's Motion for Taxation of Costs (Dkt. No. 53) be granted in part; the Clerk of Court be directed to enter judgment awarding Defendant \$3,099.24 in taxable costs and adjust the bill of costs accordingly; and Defendant's Motion for an Award of Attorneys' Fees (Dkt. No. 55) be denied. See Report at 18. No objections to the Report have been filed, and the time for doing so has passed.

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994);

United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. The Magistrate Judge's Report and Recommendation (Dkt. No. 63) is **ADOPTED** as the opinion of the Court.

2. Defendant's Motion for Taxation of Costs (Dkt. No. 53) is **GRANTED, in part, and DENIED, in part.**

a. The Motion is **GRANTED** to the extent that the Clerk of the Court is directed to enter **JUDGMENT** in favor of Defendant and against Plaintiffs in the amount of **\$3,099.24** and to adjust the Bill of Costs (Dkt. No. 53-1) accordingly.

b. Otherwise, the Motion is **DENIED.**

3. Defendant's Motion for an Award of Attorneys' Fees (Dkt. No. 55) is **DENIED.**

DONE AND ORDERED in Jacksonville, Florida, this 2nd day of October, 2017.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:
Counsel of Record