

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION

KfW, a German financial institution,

Plaintiff,

v.

Case No: 3:14-cv-715-J-39JRK

M/V YORKTOWN, Official No. 928931,  
a 1988 218.8 ft. (68.38m) cruise ship,  
her engines, tackle, rigging, dinghies,  
equipment, and other appurtenances to  
the Vessel, in rem and EXPLORER  
MARITIME CRUISES, LLC, a Delaware  
Limited Liability Company, in personam,

Defendants.

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**ORDER**

**THIS CAUSE** is before the Court on the Report and Recommendation (Doc. 16; “R&R”) entered by the Honorable James R. Klindt, United States Magistrate Judge, on June 26, 2014. The R&R recommends that Plaintiff’s Unopposed Motion for Interlocutory Sale of M/V Yorktown (Doc. 14) be granted. In response to the Magistrate Judge’s recommendation, the parties filed their Notice of Waiver of Objections (Doc. 17) on July 3, 2014. Accordingly, the matter is ripe for review.

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 fact 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 (11<sup>th</sup> 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 (11<sup>th</sup>

Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM029SPC, 2007 WL 1428615 at \*1 (M.D. Fla. May 14, 2007).

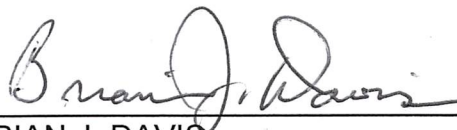
Upon independent review of the file and for the reasons stated in the Magistrate Judge's R&R, the Court accepts and adopts the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

**ORDERED:**

1. The Magistrate Judge's Report and Recommendation (Doc. 16) is **ADOPTED** as the opinion of this Court.

2. Plaintiff's Unopposed Motion for Interlocutory Sale of M/V Yorktown (Doc. 14) is **GRANTED** subject to the instructions given by the Magistrate Judge in the Report and Recommendation (Doc. 16).

**DONE** and **ORDERED** in Jacksonville, Florida this 7<sup>th</sup> day of July, 2014.



BRIAN J. DAVIS  
United States District Judge

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Copies furnished to:

Counsel of Record

Leo G Kailas  
885 Third Avenue, 20th Floor  
New York, New York 10022-4834