

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

VENTURE INVESTMENT
PROPERTIES, LLC,

Plaintiff,

vs.

Case No. 3:14-cv-1536-J-34PDB

SCOTTSDALE INSURANCE COMPANY,

Defendant.

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ORDER

THIS CAUSE is before the Court on the Report & Recommendation (Dkt. No. 167; Report), entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge, on August 8, 2017. In the Report, Judge Barksdale recommends that Plaintiff's Motion for Determination of Attorney's Fees and Costs (Dkt. No. 140) be granted, in part, and denied, in part. See Report at 25-26. Defendant has failed to file objections to the Report, 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. 167) is **ADOPTED** as the opinion of the Court.

2. Plaintiff's Motion for Determination of Attorney's Fees and Costs (Dkt. No. 140) is **GRANTED, in part, and DENIED, in part.**

3. The Motion is **GRANTED** to the extent that Plaintiff is awarded the following fees and costs:

- (a) reasonable attorney's and paralegal's fees of **\$223,795**;
- (b) costs of **\$25,760.92**;
- (c) appraisal expenses of **\$33,610.50**; and
- (d) expert fees of **\$8,500**.

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

5. The Clerk of Court is directed to enter **JUDGMENT** in favor of Plaintiff Venture Investment Properties, LLC, and against Defendant Scottsdale Insurance Company, for \$291,666.42 (comprising \$223,795 for reasonable attorney's fees, \$25,760.92 for costs, \$33,610.50 for appraisal expenses, and \$8,500 for expert fees).

6. The Clerk of the Court is further directed to terminate any pending motions and close the file.

DONE AND ORDERED in Jacksonville, Florida, this 30th day of August, 2017.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record