

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

**NELSON CALDERON and ELSIE
CALDERON,**

Plaintiffs,

v.

Case No: 5:13-cv-85-Oc-22PRL

**MERCHANT AND SOUTHERN BANK,
GMAC MORTGAGE LLC,**

Defendant.

_____ /

ORDER

This cause is before the Court on Defendant GMAC Mortgage, LLC's Motion for Sanctions (Doc. Nos. 39 & 42) and Defendant Merchants and Southern Bank Motion for Sanctions (Doc. No. 41).

The United States Magistrate Judge has submitted a report recommending that the Motion be GRANTED. (Doc. No. 47).

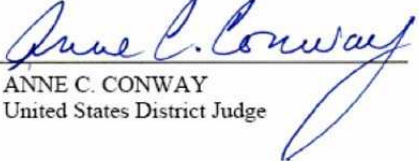
After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, based on the foregoing, it is **ORDERED** as follows:

1. The Report and Recommendation filed October 8, 2013 (Doc. No. 47), is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. Defendant GMAC Mortgage, LLC's Motion for Sanctions (Doc. No. 42) is hereby **GRANTED**. Sanctions in the form of attorneys' fees in the amount of **\$11,119.55** and costs in the amount of **\$479.00** are hereby imposed jointly against Plaintiffs, Nelson Calderon and Elsie Calderon and their lawyer, Kelley Bosecker.
3. Defendant GMAC Mortgage, LLC's Motion for Sanctions (Doc. No. 39) is **DENIED as moot**.
4. Defendant Merchant and Southern Bank's Refiled Motion for Attorneys' Fees Under Fla. Stat., § 57.105, and As a Sanction Under Rule 11, Fed. R. Civ. Pro. (Doc. No. 41) is hereby **GRANTED**. Sanctions in the form of attorneys' fees in the amount of **\$6,231.50** are hereby imposed jointly against Plaintiffs, Nelson Calderon and Elsie Calderon and their lawyer, Kelley Bosecker.

DONE and **ORDERED** in Orlando, Florida on October 28, 2013.


ANNE C. CONWAY
United States District Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties