

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

**RAYMOND H. PIERSON, III,**  
**Plaintiff,**

**and**

**JOANNE R. WERTZ,**  
**Intervenor-Plaintiff,**

**-vs-**

**Case No. 6:08-cv-466-Orl-28GJK**

**ORLANDO HEALTH f/k/a ORLANDO REGIONAL  
HEALTHCARE SYSTEMS, INC.; ERIK  
LIEBERMAN, as personal representative of the  
Estate of Phillip G. Spiegel; ROGER MURBACH;  
STEVEN APPELBLATT; FRANK BONE; WILLIAM  
BOTT; THOMAS CSENCSTIZ; J. DEAN COLE;  
JOHN HILLENMEYER; J. DAVID MOSER; N.  
DONALD DIEBEL; RORY EVANS; MANUEL J.  
GALCERAN; HEDRICK J. RIVERO; C. GORDON  
WOLFRAM; ROY W. SANDERS; GREGORY A.  
RIEF, as co-personal representative of the Estate  
of John Connolly; LINDA G.T. PARKS, as co-  
personal representative of the Estate of John  
Connolly; MUSCULOSKELETAL INSTITUTE,  
CHARTERED; WOLVERINE ANESTHESIA  
CONSULTANTS, M.D., P.A.; UNITED STATES OF  
AMERICA; NATIONAL PRACTITIONER DATA  
BANK; MICHAEL O. LEAVITT, Secretary of the  
United States Department of Health & Human  
Services; REGION IV OF THE DEPARTMENT OF  
HEALTH AND HUMAN SERVICES; STATE OF  
FLORIDA; FLORIDA HEALTH DEPARTMENT; and  
FLORIDA BOARD OF MEDICINE;**

**Defendants.**

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**ORDER**

This case is before the Court on the Second Renewed Motion of ORHS, Csencsitz, Hillenmeyer, Wolfram, Connolly, and Spiegel for Attorneys' Fees (Doc. No. 428) filed March 30, 2012. The United States Magistrate Judge has submitted a report recommending that the motion be granted.

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, it is **ORDERED** as follows:

1. That the Report and Recommendation filed June 21, 2012 (Doc. No. 437) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Second Renewed Motion of ORHS, Csencsitz, Hillenmeyer, Wolfram, Connolly and Spiegel for Attorneys' Fees (Doc. No. 428) is **GRANTED**.

3. Judgment is hereby entered in favor of Orlando Regional Healthcare System, Inc., Thomas Csencsitz, John Hillenmeyer, C. Gordon Wolfram, Gregory A. Rief and Linda G.T. Parks, as Co-Personal Representatives of the Estate of John Connolly, and Erik Lieberman, as Personal Representative of the Estate of Phillip G. Spiegel, as follows:

a. \$749,169.20 in attorneys' fees, jointly and severally, against Raymond H. Pierson, III and Joanne R. Werntz;

b. \$38,218.70 in attorneys' fees against Joanne R. Werntz individually; and

c. \$76,048.20 in attorneys' fees against Raymond H. Pierson, III individually.

4. Also before the Court is the Unopposed Motion for Entry of Consolidated Final Judgment for Both Fees and Costs (Doc. No. 439). The Motion is **GRANTED**. Judgment is hereby entered in favor of Orlando Regional Healthcare System, Inc., Thomas CSENCSTZ, John Hillenmeyer, C. Gordon Wolfram, Gregory A. Rief and Linda G.T. Parks, as Co-Personal Representatives of the Estate of John Connolly, and Erik Lieberman, as Personal Representative of the Estate of Philip G. Spiegel, as follows:

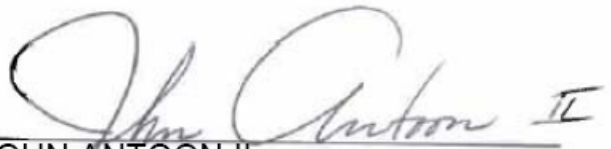
a. \$61,468.36<sup>1</sup> in costs against Raymond H. Pierson, III and Joanne R. Wertz.

5. The Clerk of the Court is directed to enter judgment in favor of Orlando Regional Healthcare System, Inc., Thomas Csencsitz, John Hillenmeyer, C. Gordon Wolfram, Gregory A. Rief and Linda G.T. Parks, as Co-Personal Representatives of the Estate of John Connolly, and Erik Lieberman, as Personal Representative of the Estate of Philip G. Spiegel, and against Raymond H. Pierson, III and Joanne R. Wertz for attorneys' fees and costs as set forth above.

**DONE** and **ORDERED** in Chambers, Orlando, Florida this 16th day of July, 2012.

Copies furnished to:

United States Magistrate Judge  
Counsel of Record

  
JOHN ANTOON II  
United States District Judge

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<sup>1</sup> This amount was taxed as costs on November 26, 2010 (Doc. No. 382).