

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

SKYPLAN SERVICES LIMITED,

Plaintiff,

-vs-

Case No. 6:09-cv-1465-Orl-28GJK

DIAOUNE AND BROTHERS, INC.,

Defendant.

ORDER

This case is before the Court on Plaintiff's Motion for Final Judgment (Doc. No. 10) filed January 6, 2010. The United States Magistrate Judge has submitted a report recommending that the motion be granted in part and denied in part.

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 March 15, 2010 (Doc. No. 11) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiff's Motion for Final Judgment is **GRANTED in part** and **DENIED in part**.
3. Final Judgment is entered in favor of Plaintiff and against Defendant, Diaoune and Brothers, Inc., in the total amount of \$88,382.53 (\$86,242.68 in principal; \$1,724.85 as 2% penalty; and \$415.00 in costs).

4. Plaintiff is awarded post-judgment interest at the rate allowed by law.

5. The Clerk is directed to enter judgment as set forth above and to thereafter close the file.

DONE and **ORDERED** in Chambers, Orlando, Florida this 9th day of April, 2010.

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party



JOHN ANTOON II
United States District Judge