

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

UNITED FUNDING, INC., MICHAEL
FEHRENBACHER,

Plaintiffs,

-vs-

Case No. 6:09-cv-1839-Orl-28GJK

JOHN BOSCHERT, JENIFER HOFFMAN,
BRYAN ZUZGA, ASSURED CAPITAL
CONSULTANTS, LLC, DAH
MANAGEMENT, INC., and DONALD
HOFFMAN, JR.,

Defendants.

ORDER

This case is before the Court on Plaintiffs' Motion for Final Judgment After Default Against John Boschert (Doc. No. 74) filed August 22, 2011. 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 November 14, 2011 (Doc. No. 76) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiffs' Motion for Final Judgment After Default Against John Boschert (Doc. No. 74) is **GRANTED**.

3. Final Judgment is hereby awarded in favor of Plaintiffs United Funding, Inc. and Michael Fehrenbacher and against Defendant John Boschert for \$1,850,000.00 on Plaintiff's claims of conspiracy to defraud, selling an unregistered security, and the Florida Deceptive and Unfair Trade Practices Act ("FDUTPA"). Both prejudgment and post judgment interest is awarded as part of this Final Judgment.

4. Prejudgment interest is awarded to Plaintiffs in the amount of \$284,051.01. (8% on \$1,850,000.00 from 7/1/09 to 12/31/09; 6% from 1/1/10 to 12/31/10; 6% from 1/1/11 to 9/30/11; and 4.75% from 10/1/11 to 12/7/11).

5. The Clerk of the Court is directed to enter judgment in favor of Plaintiffs and against Defendant John Boschert in the total amount of \$2,134,051.01 (\$1,850,000.00 and prejudgment interest of \$284,051.01) which shall accrue post judgment interest until satisfied.

DONE and ORDERED in Chambers, Orlando, Florida this 6th day of December, 2011.



JOHN ANTOON II
United States District Judge

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party