

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

ABRAHAM SANTIAGO and ANTHONY
DEPLANTY,

Plaintiffs,

v.

Case No: 6:10-cv-589-Orl-36GJK

ROSE LEA INTERNATIONAL
SERVICES, INCORPORATED and
ROSEMARIE A.E. MORRIS,

Defendants.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Gregory J. Kelly on September 11, 2012 (Doc. 37). In the Report and Recommendation, Judge Kelly recommends that the Court: (1) grant Plaintiffs' Abraham Santiago ("Santiago") and Anthony Deplanty ("Deplanty") (collectively "Plaintiffs") Renewed Motion for Default Judgment, filed on August 31, 2012 (Doc. 36); (2) enter judgment in favor of Santiago for \$22,132.80; (3) enter judgment in favor of Deplanty for \$7,056.00; and (4) award Plaintiffs \$1,662.50 for attorneys' fees and costs. Doc. 37, p. 8. Neither party has objected to the Report and Recommendation and the time to do so has expired.

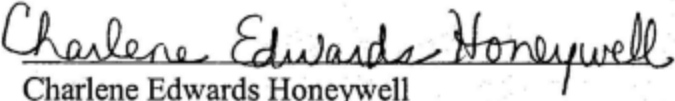
On August 19, 2011, default was entered against Defendant Rose Lea International Services Incorporated ("Defendant Roselea") pursuant to Federal Rule of Civil Procedure 55(a). Doc. 16. On August 29, 2012, the Court vacated in part its previous Order (Doc. 25) to the extent that it denied as moot Plaintiffs' Motion for Default Judgment against Defendant Roselea. Doc. 35. On August 31, 2012, Plaintiffs filed a Renewed Motion for Default Judgment against

Defendant Roselea. Doc. 36. The Court agrees with the Magistrate Judge's findings regarding the damages due to Plaintiffs Santiago and Deplanty under the Fair Labor Standards Act, 29 U.S.C. § 216. Doc. 37, pp. 4-6. Also, the Court agrees with the Magistrate's finding that the Plaintiffs' attorneys' hourly rates and time expended are reasonable. *Id.*, p. 7; *see* 29 U.S.C. § 216(b). Therefore, after careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

Accordingly, it is hereby **ORDERED and ADJUDGED**:

1. The Report and Recommendation of the Magistrate Judge (Doc. 37) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.
2. Plaintiffs' Renewed Motion for default judgment, filed on August 31, 2012 (Doc. 36) is **GRANTED**:
 - a. Plaintiff Abraham Santiago is awarded damages in the amount of \$22,132.80 against Defendant Rose Lea International Services Incorporated;
 - b. Plaintiff Anthony Deplanty is awarded damages in the amount of \$7,056.00 against Defendant Rose Lea International Services Incorporated;
 - c. Plaintiffs are awarded attorneys' fees in the amount of \$1,282.50 and costs in the amount of \$380 for a total of \$1,662.50.
3. The Clerk is directed to enter judgment accordingly.

DONE and **ORDERED** in Orlando, Florida on October 4, 2012.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:

Counsel of Record

Unrepresented Parties

United States Magistrate Judge Gregory J. Kelly