

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

**AMERICAN TECHNOLOGY  
INCORPORATED,**

**Plaintiff,**

**-vs-**

**Case No. 6:11-cv-108-Orl-22GJK**

**NAC GROUP, INC.,**

**Defendant.**

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**ORDER**

This cause is before the Court on Defendant's Motion for Fees and Costs (Doc. No. 253) filed on February 22, 2011.

The United States Magistrate Judge has submitted a report recommending that the Motion be denied.

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. The Report and Recommendation filed July 15, 2011 (Doc. No. 263) is ADOPTED and CONFIRMED and made a part of this Order.
2. Defendant's Motion for Fees and Costs (Doc. No. 253) is DENIED.

**DONE** and **ORDERED** in Chambers, in Orlando, Florida on August 3, 2011.

Copies furnished to:

Counsel of Record

  
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ANNE C. CONWAY  
United States District Judge