

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

**FREEDOM ENVIRONMENTAL
SERVICES, INC.,**

Plaintiff,

v.

Case No: 6:12-cv-665-Orl-22DAB

**MICHAEL BORISH, COLONIAL
STOCK TRANSFER COMPANY, INC.,
BRETT ROWLAND, MARC
BARHONOVICH, REGINALD M.
BERTHIAUME and JOHN DOES 1
THROUGH 5,**

Defendants.

ORDER

This cause comes before the Court on the Magistrate Judge's Report recommending that the attorney Michael Scaglione, Esquire ("Scaglione") and attorney Gus R. Benitez, Esquire ("Benitez") be publicly reprimanded for filing pleadings without the authority of the corporation Freedom Environmental Services, Inc. to act on the behalf of the corporation. (Doc. No. 23).

Benitez and Scaglione filed objections to the Magistrate Judge's report and recommendations. (Doc. Nos. 26, 27, 55 & 56).

After an independent *de novo* review of the record in this matter, including the objections filed by the parties, the Court adopts the findings of fact and conclusions of law of the Magistrate Judge, to the extent they are consistent with this Order.

The Courts finds that Benitez and Scaglione's practice before this Court in this matter fell below the level of practice expected before this Court. Although the Court declines to reprimand publicly Benitez and Scaglione, the Court forewarns Benitez and Scaglione that if they continue


to practice below the level expected before this Court, they will be subjected to significant sanctions.

Therefore, based on the foregoing, it is **ORDERED** as follows:

1. The Report and Recommendation filed July 12, 2012 (Doc. No. 23), is **ADOPTED** and **CONFIRMED** and made a part of this Order, to the extent it is consistent with this Order.

2. The parties' objections (Doc. Nos. 26, 27, 55 & 56) are **OVERRULED**.

DONE and **ORDERED** in Orlando, Florida on December 18, 2012.


ANNE C. CONWAY
United States District Judge

Copies furnished to:

Counsel of Record
Unrepresented Parties