

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

FEDERAL TRADE COMMISSION; and
STATE OF FLORIDA, OFFICE OF THE
ATTORNEY GENERAL, DEPARTMENT
OF LEGAL AFFAIRS,

Plaintiffs,

v.

Case No. 6:13-cv-789-Orl-37DAB

VACATION COMMUNICATIONS
GROUP, LLC; GARDNER CLINE, LLC;
SHELDON LEE COHEN; MARK
RUSSELL GARDNER; and TAMMIE
LYNN CLINE,

Defendants.

ORDER

This cause is before the Court on the following:

1. Motion for Allowance and Payment of Compensation and Expenses to Receiver Brian A. McDowell with Incorporated Memorandum of Law (Doc. 103), filed October 9, 2014; and
2. Magistrate Judge David A. Baker's Report and Recommendation (Doc. 105), filed April 10, 2015.

Upon consideration, and in the absence of objection, the Court finds that Magistrate Judge David A. Baker's Report and Recommendation ("R&R") is due to be adopted and Plaintiff's Motion for Allowance and Payment of Compensation and Expenses to Receiver Brian A. McDowell is due to be granted in part and denied in part.

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

1. Magistrate Judge David A. Baker's R&R (Doc. 105) is **ADOPTED AND**

CONFIRMED and made a part of this Order.

2. Motion for Allowance and Payment of Compensation and Expenses to Receiver Brian A. McDowell (Doc. 103) is **GRANTED IN PART AND DENIED IN PART.**

a. The motion is **GRANTED** to the extent that: (1) the Receiver is awarded expenses and fees in a combined amount of \$7,740—the total value of the assets recovered to date in this action; (2) the Receiver is authorized to pay the awarded expenses and fees from the Receivership Estate, with expenses to be paid first and any remainder to be paid as fees; and (3) the Court reserves jurisdiction to permit the Receiver to seek further compensation should he and his “professionals” (see *id.* at 13) recover additional assets.

b. In all other respects, the motion is **DENIED WITHOUT PREJUDICE.**

DONE AND ORDERED in Chambers in Orlando, Florida, on May 4, 2015.



ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record

