Doc. 278

UNITED STATES DISTRICT COURT MIDDLE DISTRICT OF FLORIDA ORLANDO DIVISION

FEDERAL TRADE COMMISSION,

Plaintiff,

v.

Case No. 6:18-cv-862-Orl-37DCI

MOBE LTD.;
MOBEPROCESSING.COM, INC.;
TRANSACTION MANAGEMENT
USA, INC.; MOBETRAINING.COM,
INC.; 9336-0311 QUEBEC INC.; MOBE
PRO LIMITED; MOBE INC.; MOBE
ONLINE LTD.; MATT LLOYD
PUBLISHING.COM PTY LTD.;
MATTHEW LLOYD MCPHEE; SUSAN
ZANGHI; and INGRID WHITNEY,

Defendants.

ORDER

Burton W. Wiand ("Special Reciever") moves for: approval of a proposed settlement with non-party Synovus Bank ("Synovus"); approval for payment for services rendered by himself and by the law firm Wiang Guerra King ("WGK"); and for the termination of his appointment. (Doc. 268 ("Motion").) On referral, U.S. Magistrate Judge Daniel C. Irick recommends granting the Motion in part, approving the settlement, authorizing some fees, and terminating the Special Receiver's appointment. (Doc. 274.) Judge Irick recommends authorizing: \$6,084 in fees to the Special Receiver; \$61,949 in fees to WGK for work performed for the Special Receiver; \$21,977.50 in fees to WGK for work

performed for the Receiver, Mark J. Bernet; and \$4,306 in expenses to WGK. (*Id.* at 9–15.)

No objections were filed, and the time for doing so has now passed. Absent objection, the Court reviewed the Report and Recommendation only for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the Court adopts the Report and Recommendation (Doc. 274) in full.

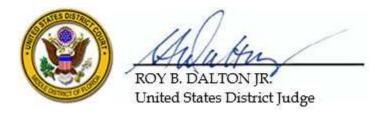
Accordingly, it is **ORDERED AND ADJUDGED**:

- U.S. Magistrate Judge Daniel C. Irick's Report and Recommendation (Doc.
 274) is ADOPTED, CONFIRMED, and made a part of this Order.
- 2. The Special Receiver's Consolidated Motion (1) to Approve Settlement with Synovus Bank; (2) to Approve the Payment of Fees and Cots; and (3) to Terminate the Special Receiver's Appointment (Doc. 268) is **GRANTED IN PART AND DENIED IN PART:**
 - a. The settlement with Synovus (Doc. 268-1) is **APPROVED**;
 - b. The Special Receiver is authorized payment of \$6,084.00 in fees;
 - c. The Special Receiver is authorized to pay the law firm Wiand Guerra
 King \$61,949 in fees for its services as counsel for the Special
 Receiver;
 - d. The Special Receiver is authorized to pay the law firm Wiand Guerra King \$21,977.50 in fees for its services as counsel for the Receiver;
 - e. The Special Receiver is authorized to pay the law firm Wiand Guerra

King \$4,306.00 in expenses;

- f. Burton W. Wiand's appointment as Special Receiver is **TERMINATED**;
- g. In all other respects, the Motion is **DENIED**.

DONE AND ORDERED in Chambers in Orlando, Florida, on November 12, 2020.



Copies to: Counsel of Record *Pro se* Party