

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

**SOUTHEASTERN MECHANICAL
SERVICES, INC.,**

Plaintiff,

v.

Case No. 8:08-cv-1151-T-30EAJ

**NORMAN BRODY, JAMES SHEROUSE,
KEVIN SMITH, THERMAL
ENGINEERING CONSTRUCTION
SERVICES, INC. (A/K/A TEI
CONSTRUCTION SERVICES, INC.),
BABCOCK POWER SERVICES, INC.,
AND THEODORE MALISZEWSKI,**

Defendants.

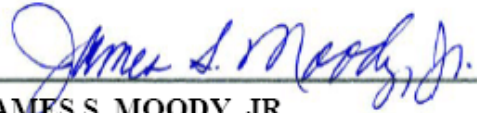
ORDER

THIS CAUSE comes before the Court upon the Individual Defendants' Objections to Magistrate Judge Jenkins' Order on Plaintiff's Motion for Sanctions Due to Spoilation of Evidence (Dkt. 409). After careful consideration of the Order of the Magistrate Judge, as well as the Individual Defendant's Objections, and in conjunction with an independent examination of the file, the Court is of the opinion that the Magistrate Judge's Order should be adopted, confirmed, and approved in all respects.

It is therefore, **ORDERED AND ADJUDGED:**

1. The Order (Dkt. 372) of the Magistrate Judge is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

DONE and **ORDERED** in Tampa, Florida on September 29, 2009.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel/Parties of Record

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