

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

GOTTLIEB & GOTTLIEB, P.A.,

Plaintiff,

v.

Case No. 8:14-cv-895-T-33MAP

DOCTOR R. CRANTS,

Defendant.

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ORDER

This matter comes before the Court upon consideration of United States Magistrate Judge Mark A. Pizzo's Report and Recommendation (Doc. # 111), entered on April 10, 2017. The time for filing objections has passed and none have been filed. After review, the Court adopts the Report and Recommendation.

Discussion

This action stems from Defendant Doctor R. Crants's failure to pay twenty promissory notes. (Doc. # 2). After approximately twenty months of litigation, the Court granted Gottlieb & Gottlieb's motion for summary judgment. (Doc. # 61). Judgment was entered on December 7, 2015. (Doc. # 64). Thereafter, both parties moved to amend the judgment. (Doc. # 65, 71). The Court granted Gottlieb & Gottlieb's motion to

amend, but denied Crants's motion. (Doc. # 81). An amended judgment was entered on January 25, 2016, which now included a sum certain in prejudgment interest. (Doc. # 82).

Crants then appealed to the Eleventh Circuit. (Doc. # 83). The appeal was dismissed for want of prosecution but, upon Crants's motion, the dismissal was set aside. (Doc. # 90). On August 16, 2016, the Eleventh Circuit affirmed this Court's Order granting Gottlieb & Gottlieb's motion for summary judgment and the amended judgment. (Doc. # 97). The Eleventh Circuit issued its mandate on September 9, 2016. (Doc. # 98).

Gottlieb & Gottlieb again moved for attorney's fees and costs. (Doc. # 104). That motion was referred to Judge Pizzo for a report and recommendation. Thereafter, on January 9, 2017, the Supreme Court of the United States denied Crants's petition for writ of certiorari. (Doc. # 109). Crants filed his response in opposition to Gottlieb & Gottlieb's motion for attorney's fees and costs on January 31, 2017. (Doc. # 110). After briefing was completed, Judge Pizzo entered the instant Report and Recommendation. (Doc. # 111). Judge Pizzo recommends Gottlieb & Gottlieb be awarded \$178,689 in attorney's fees and \$2,759.05 in costs. (Id.). Neither party

objected to the Report and Recommendation, and the time for doing so has passed.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's Report and Recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. S. Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

The Court has conducted a careful and complete review of the findings, conclusions, and recommendations, and has reviewed matters of law *de novo*. The Court agrees with Judge Pizzo's recommendation and adopts the same. Gottlieb & Gottlieb's motion for attorney's fees and costs is granted

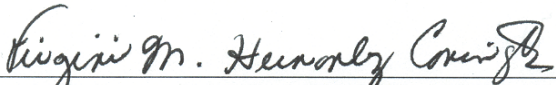
insofar as the Court awards Gottlieb & Gottlieb \$178,689 in attorney's fees and \$2,759.05 in costs.

Accordingly, it is now

ORDERED, ADJUDGED, and DECREED:

- (1) Judge Pizzo's Report and Recommendation (Doc. # 111) is **ACCEPTED and ADOPTED.**
- (2) Gottlieb & Gottlieb's motion for attorney's fees and costs (Doc. # 105) is **GRANTED** insofar as the Court awards Gottlieb & Gottlieb \$178,689 in attorney's fees and \$2,759.05 in costs.
- (3) The Clerk is directed to enter judgment in favor of Plaintiff Gottlieb & Gottlieb, P.A. and against Defendant Doctor R. Crants in the amount of \$181,448.05 (comprised of \$178,689 in attorney's fees and \$2,759.05 in costs), for which sum let execution issue.
- (4) This action was previously closed and it shall remain closed.

DONE and ORDERED in Chambers in Tampa, Florida, this 25th day of April, 2017.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE