

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

LISA N. BOSTICK,

Plaintiff,

Case No. 8:16-cv-1400-T-33AAS

v.

STATE FARM MUTUAL AUTOMOBILE
INSURANCE COMPANY,

Defendant.

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ORDER

This matter is before the Court in consideration of the January 30, 2018, Report and Recommendation of United States Magistrate Judge Amanda Arnold Sansone (Doc. # 169), recommending that State Farm be awarded reasonable attorneys' fees. Plaintiff Lisa N. Bostick filed an Objection to the Report and Recommendation (Doc. # 171) on February 13, 2018. State Farm did not respond to the Objection.

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-Hous. 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).

Upon due consideration of the record, including the Report and Recommendation as well as Bostick's Objection, the Court overrules the Objection and adopts the Report and Recommendation. The Report and Recommendation thoughtfully addresses the issues presented, and the Objection does not provide a basis for rejecting the Report and Recommendation. The Court agrees with the Magistrate Judge's detailed and well-reasoned analysis and adopts her determination that State Farm is entitled to its reasonable attorneys' fees incurred after State Farm's \$100,000 proposal for settlement was made to Bostick on March 29, 2017. Having determined that State Farm is entitled to an award of attorneys' fees,


the Court directs State Farm to file a Motion with supporting argument and documentation to establish the reasonable attorneys' fees incurred by **March 23, 2018**.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

- (1) The Report and Recommendation (Doc. # 169) is **ADOPTED**.
- (2) Defendant's Motion for Attorney Fees (Doc. # 155) is **GRANTED**. The Court determines that State Farm is entitled to its reasonable attorneys' fees incurred after serving Bostick with the March 29, 2017 Proposal for Settlement.
- (3) State Farm is directed to file a Motion for Attorneys' Fees, including supporting documentation, by **March 23, 2018**.

DONE and ORDERED in Chambers, in Tampa, Florida, this 9th day of March, 2018.


VIRGINIA M. HERNANDEZ COVINGTON
UNITED STATES DISTRICT JUDGE