

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA
PENSACOLA DIVISION**

JOHN BRIER, et al.,

Plaintiffs,

v.

Case No. 3:16cv142-MCR-CJK

KEITH DE CAY,

Defendant.

_____ /

ORDER

This cause comes before the Court on consideration of the Magistrate Judge's Report and Recommendation dated March 1, 2017. ECF No. 26. The parties have been furnished a copy of the Report and Recommendation and have been afforded an opportunity to file objections pursuant to Title 28, United States Code, Section 636(b)(1). The Court has made a *de novo* determination of any timely filed objections.

Having considered the Report and Recommendation, and any objections thereto timely filed, the Court has determined that the Report and Recommendation should be adopted.

Accordingly, the court hereby ORDERS and ADJUDGES as follows:

1. Plaintiffs' motion for summary judgment (doc. 16) is **GRANTED** and plaintiffs are awarded \$94,000.00 in damages against defendant.

2. Defendant's motion for summary judgment is **DENIED** and his counterclaim is dismissed with prejudice.

3. The clerk is directed to close the file.

DONE AND ORDERED this 24th day of March, 2017.

M. Casey Rodgers

M. CASEY RODGERS
CHIEF UNITED STATES DISTRICT JUDGE