

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
MIAMI DIVISION**

Case No. 06-60241-CIV-ALTONAGA/Brown

SAINVILUS FRANCOIS,

Plaintiff,

vs.

FRIED GREEN TOMATOES, INC.
and **BILLIE GEMMILL,**

Defendants.

**ORDER AFFIRMING AND ADOPTING
MAGISTRATE JUDGE'S REPORT**

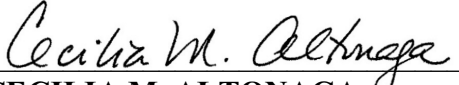
THIS CAUSE came before the Court upon Magistrate Judge Stephen T. Brown's Report and Recommendation ("Report") [D.E. 260], filed on January 14, 2009. On December 1, 2008, Plaintiff filed a Verified Motion to Tax Attorney's Fees ("Motion") [D.E. 248]. The Court referred the Motion to Magistrate Judge Brown under 28 U.S.C. § 636(b)(1). In the Report, Judge Brown recommends that appellate attorneys' fees in the total sum of \$26,840.00 be awarded to Plaintiff. Defendants have not filed any specific objections to Judge Browns's Report.¹

The Court has carefully reviewed Judge Brown's Report, the parties' written submissions, and the applicable law, and has conducted a *de novo* review of the record. The undersigned is in full agreement with the analysis and recommendations stated in Judge Brown's Report. Accordingly, it is **ORDERED AND ADJUDGED** that Judge Brown's Report [D.E. 260] is **AFFIRMED AND ADOPTED**. Plaintiff's Motion [D.E. 248] is **GRANTED**. Counsel for Plaintiff are hereby awarded

¹ In their Response to Plaintiff's Motion, Defendants assert they "do not dispute that Plaintiff is entitled to reasonable attorneys' fees." (*Response to Motion* [D.E. 255] at 1).

their reasonable attorney's fees and costs, in the amount of \$26,840.00 against Defendants, Fried Green Tomatoes, Inc. and Billie Gemmill, together with interest thereon, for all of which let execution issue.

DONE AND ORDERED in Chambers at Miami, Florida, this 2nd day of February, 2009.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

Copies provided to:

- (1) Magistrate Judge Stephen T. Brown
- (2) Counsel of record