

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 06-61231-CIV-DIMITROULEAS

PARROT, INC., a Texas corporation,

Plaintiff/Counterdefendant,

vs.

NICESTUFF DISTRIBUTING
INTERNATIONAL, INC., a Florida
corporation,Defendant/Counterplaintiff.

ORDER ADOPTING REPORT OF MAGISTRATE JUDGE

THIS CAUSE is before the Court upon Plaintiff Parrot, Inc.'s Motion for Entry of Judgment [DE-202], Verified Motion for Attorney's Fees [DE-196], Verified Motion for Costs [DE-197], and the Report and Recommendation of Magistrate Judge Robin S. Rosenbaum, dated February 2, 2010 [DE-206]. The Court notes that no objections to the Report have been filed, and the time for filing such objections has passed. As no timely objections were filed, the Magistrate Judge's factual findings in the Report are hereby adopted and deemed incorporated into this opinion. LoConte v. Dugger, 847 F. 2d 745, 749-50 (11th Cir. 1988), cert. denied, 488 U.S. 958 (1988); RTC v. Hallmark Builders, Inc., 996 F. 2d 1144, 1149 (11th Cir. 1993).

Although no timely objections were filed, the Court has conducted a *de novo* review of the Report and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate Judge's conclusion that the Motions be granted in part and denied in part.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. The Report and Recommendation [DE-206] is hereby **ADOPTED** and **APPROVED**;
2. Plaintiff's Verified Motion for Attorney's Fees [DE-196] is hereby **GRANTED IN PART, DENIED IN PART** for a total fee recovery of \$148,295.00;
3. Plaintiff's Verified Motion for Costs [DE-197] is hereby **GRANTED IN PART, DENIED IN PART** for total cost recovery of \$6,885.14;
4. Plaintiff's Motion for Entry of Judgment [DE-202] is hereby **GRANTED IN PART, DENIED IN PART** against NiceStuff International, NiceStuff Distributing, ESI, and Michael Savuskan, for the following amounts:
 - a) \$160,740.56, plus interest at a legal rate, at 11% per year for the Consented Final Judgment in Favor of Plaintiff [*see* DE-30];
 - b) \$14,337.00 for the costs and fees relating to Plaintiff's Motion to Compel [*see* DE-31; 66; 72]; and
 - c) The costs and fees incurred by Plaintiff as a result of supplementary proceedings, plus the fees incurred in connection with bringing the motions for fees and costs relating to Plaintiff's Verified Motion for Attorney's Fees [DE-196] and Plaintiff's Verified Motion for Costs [DE-197] be granted in part and denied in part, as set forth in paragraphs 2 and 3 above, for a subtotal of \$148,295.00 in fees and \$6,885.14 in costs.

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this

23rd day of February, 2010.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:
Counsel of record
Magistrate Judge Rosenbaum