

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
Case No. 08-61189-CIV-UNGARO

SCOTT SLUTZKY,

Plaintiff,

v.

AUTOMOTIVE PARTS EXPRESS
WAREHOUSE, INC. *et al.*,

Defendants.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

THIS CAUSE is before the Court upon Plaintiff's Notice of Filing Satisfaction of Judgment, filed on August 4, 2009. (D.E. 41.) The Honorable Andrea M. Simonton, United States Magistrate Judge has issued a Report and Recommendation dated August 21, 2009 (D.E. 43), recommending that Defendant Mark Milwick be discharged from this Court's Contempt Order, entered on June 24, 2009 (D.E. 35). The parties have failed to file objections to the Report. *See LoConte v. Dugger*, 847 F.2d 145 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988) (holding the failure to file timely objections bars the parties from attacking factual findings on appeal). The matter is ripe for disposition.

THIS COURT has made a *de novo* review of the entire file and record herein, and, being otherwise fully advised in the premises, it is hereby

ORDERED and ADJUDGED that United States Magistrate Judge Simonton's Report and Recommendation of August 21, 2009 (D.E. 43), is RATIFIED, AFFIRMED and ADOPTED. It is further

ORDERED AND ADJUDGED that Defendant Mark Milwick is DISCHARGED from the finding of contempt made on June 23, 2009 (D.E. 35). It is further

ORDERED AND ADJUDGED that the bond issued pursuant to the Order of Contempt

following the arrest of Defendant Mark Milwick (D.E. 40) be exonerated.

DONE AND ORDERED in Chambers at Miami, Florida, this 9th day of September,
2009.

A handwritten signature in cursive script, reading "Ursula Ungaro".

URSULA UNGARO
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record