

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 10-61588-CIV-HUCK

LAVERN DEER,

Plaintiff,

v.

SALTZMAN, TANIS, PITTELL, LEVIN &
JACOBSON, INC., d/b/a PEDIATRIC
ASSOCIATES,


Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

THIS MATTER is before the Court on Defendant[s'] Motion for Rule 11 Sanctions and Incorporated Memorandum of Law (D.E. #15), filed December 10, 2010. On April 1, 2011, Magistrate Judge John O'Sullivan entered a Report and Recommendation (D.E. #35), in which he recommended that the motion be granted in part and denied in part. Judge O'Sullivan further recommended that the Court award Defendants \$900.00 against Plaintiff's counsel as fair and reasonable attorney's fees directly resulting from the Rule 11(b)(2) violation in this case. On April 14, 2011, Plaintiff's counsel filed objections to the Report and Recommendation (D.E. #46). The Court has independently reviewed the Report and Recommendation, the objections, the pertinent portions of the record, and is otherwise duly advised. Accordingly, it is hereby

ORDERED that the Court ADOPTS the findings of fact and conclusions in the Report and Recommendation. Defendants' Motion is GRANTED IN PART and DENIED IN PART. Defendants are entitled to monetary sanctions in the amount of \$900.00 as fair and reasonable attorney's fees directly resulting from the Rule 11(b)(2) violation.

DONE and ORDERED in Chambers, Miami, Florida, April 20, 2011.


Paul C. Huck
United States District Judge

Copies furnished to:
Magistrate Judge John J. O'Sullivan
All Counsel of Record