

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
(FORT LAUDERDALE DIVISION)**

BALBOA CAPITAL CORPORATION,

Plaintiff,

v.

Case No.: 0:18-cv-61125-WPD

VITAL PHARMACEUTICALS, INC.,  
d/b/a VPX SPORTS; and JOHN OWOC,

Defendants.

---

**ORDER ADOPTING REPORT OF MAGISTRATE JUDGE**

THIS CAUSE is before the Court on Plaintiff Balboa Capital Corporation (“Plaintiff”)’s Application for Attorneys’ Fees and Costs in Connection with Appeal [DE 142/143], Plaintiff’s Second Supplemental Motion for Attorneys’ Fees and Costs [DE 146], and the August 22, 2023 Report and Recommendation of Magistrate Judge Patrick M. Hunt [DE 159] (the “Report”). The Court notes that no objections to the Report [DE 159] 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 [DE 159] 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).

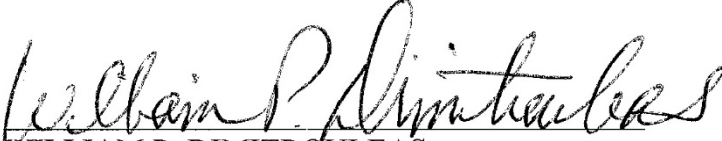
Although no timely objections were filed, the Court has conducted a *de novo* review of the Report [DE 159] and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate Judge’s reasoning and conclusions.

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

1. The Report [DE 159] is hereby **ADOPTED** and **APPROVED**;

2. Plaintiff's Verified Motion for Attorneys' Fees and Costs [DE 142/143] and Plaintiff's Supplemental Motion for Attorneys' Fees and Costs [DE 146] are **GRANTED**; and
3. Plaintiff is hereby awarded fees and costs in the amount of \$52,027.28 (\$51,970.00 in attorneys' fees and \$57.28 in non-taxable costs).

**DONE AND ORDERED** in Chambers at Fort Lauderdale, Broward County, Florida,  
this 6th day September, 2023.

  
WILLIAM P. DIMITROULEAS  
United States District Judge

Copies furnished to:  
Counsel of record  
Magistrate Judge Hunt