

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

CASE NO. 19-CV-61306-RAR

JEAN EMMANUEL PIERRE-LOUIS, et al.,

Plaintiffs,

v.

BAGGAGE AIRLINE GUEST SERVICES, INC., et al.,

Defendants.

ORDER AFFIRMING AND ADOPTING REPORT AND RECOMMENDATION

THIS CAUSE comes before the Court upon United States Magistrate Judge Jacqueline Becerra’s Report and Recommendation [ECF No. 306] (“Report”), filed on January 26, 2021. The Report recommends that the Court grant Plaintiffs’ Motion for Bill of Costs [ECF No. 228] and award Plaintiffs **\$24,541.90** in costs. *See* Report at 1. The Report properly notified the parties of their right to object to Magistrate Judge Becerra’s findings. *Id.* at 12. Defendants timely filed a Limited Objection to the Report [ECF No. 307] (“Objection”) on February 8, 2021.

This Court reviews *de novo* the determination of any disputed portions of the Magistrate Judge’s Report. *United States v. Powell*, 628 F.3d 1254, 1256 (11th Cir. 2010). Any portions of the Report to which no specific objection is made are reviewed only for clear error. *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006). A proper objection “identifie[s] specific findings set forth in the [Report] and articulate[s] a *legal* ground for objection.” *Leatherwood v. Anna’s Linens Co.*, 384 F. App’x 853, 857 (11th Cir. 2010) (alterations and emphasis added; citations omitted).

Here, Defendants object to a single sentence included in the background section of the twelve-page Report that states as follows:

Although the parties were ordered to participate in a settlement conference before a Magistrate Judge and were ordered to mediate as part of the regular administration of an FLSA case, **it appears that no settlement of the matter was entertained by Defendants until after the Court's decision on summary judgment.**

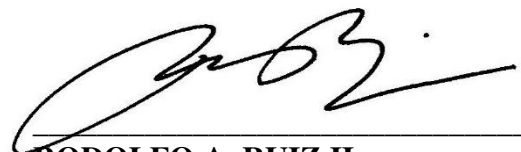
Report at 2. (emphasis added). Specifically, Defendants object to the bolded portion of the foregoing sentence "insofar as it can be construed as a finding of fact" because they contend that any "finding regarding settlement efforts and positions is relevant to the pending motions for fees and non-taxable costs and sanctions, ECF Nos. 267 & 284, and Defendants seek to preserve their right to object to this statement." Obj. at 1, n.1.

The statement Defendants object to has no bearing on the Motion for Costs; it is simply provided for background purposes. Because the Court finds that the statement is not a factual finding and therefore irrelevant to the disposition of the Motion for Costs, Defendants' Objection is overruled. Accordingly, it is

ORDERED AND ADJUDGED as follows:

1. Defendants' Objection [ECF No. 307] is **OVERRULED**.
2. The Report [ECF No. 306] is **AFFIRMED AND ADOPTED**.
3. Plaintiffs' Motion for Bill of Costs [ECF No. 228] is **GRANTED**. Plaintiffs shall prepare and submit to the Court a proposed Final Judgment awarding taxable costs after conferring with Defendants.

DONE AND ORDERED in Fort Lauderdale, Florida, this 16th day of February, 2021.



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE