

**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. 339] ("Report"), filed on January 6, 2022. The Report recommends that Plaintiffs' Motion for Order to Show Cause, Entry of Final Judgment, and for Attorneys' Fees [ECF No. 320] be granted in part and denied in part. *See* Report at 1. The Report properly notified the parties of their right to object to Magistrate Judge Becerra's findings and the consequences for failing to object. *Id.* at 7. Both parties filed notices indicating that they did not object to the Report. [ECF Nos. 340 & 341].

When a magistrate judge's "disposition" has been properly objected to, district courts must review the disposition *de novo*. FED. R. CIV. P. 72(b)(3). However, when no party has timely objected, "the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation." FED. R. CIV. P. 72 advisory committee's notes (citation omitted). Although Rule 72 itself is silent on the standard of review, the Supreme Court has acknowledged Congress's intent was to only require a *de novo* review where objections have been

properly filed, not when neither party objects. *See Thomas v. Arn*, 474 U.S. 140, 150 (1985) (“It does not appear that Congress intended to require district court review of a magistrate [judge]’s factual or legal conclusions, under a *de novo* or any other standard, when neither party objects to those findings.”).

Because the parties do not have any objections to the Report, the Court did not conduct a *de novo* review of Magistrate Judge Becerra’s findings. Rather, the Court reviewed the Report for clear error. Finding none, it is

ORDERED AND ADJUDGED as follows:

1. The Report [ECF No. 339] is **AFFIRMED AND ADOPTED**.
2. Plaintiffs’ Motion [ECF No. 320] is **GRANTED IN PART AND DENIED IN PART** as follows:
 - a. A final judgment for attorneys’ fees in Plaintiffs’ favor in the amount of \$140,683.08 will follow by separate order with pre- and post-judgment interest as set forth in the Report.
 - b. Plaintiffs’ Motion for an Order to Show Cause is **DENIED**.
3. Plaintiffs’ subsequent Expedited Motion for Separate Judgments for Principal and Prejudgment Interest, Inclusion of Orders Directing Completion of Fact Information Sheets, and to Strike Defendants’ Notice of Filing [ECF No. 335] is **DENIED AS MOOT**.

DONE AND ORDERED in Fort Lauderdale, Florida, this 11th day of January, 2022.



RODOLFO A. RUIZ II
UNITED STATES DISTRICT JUDGE