

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO. 0:22-cv-61136-LEIBOWITZ/AUGUSTIN-BIRCH

HYBRID PHARMA LLC,

Plaintiff,

v.

**MATTHEW KNISPEL, MARK
WHITTEN, and ROBERT DIFIORE,**

Defendants.

ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION

THIS MATTER was referred to United States Magistrate Panayotta D. Augustin-Birch for a Report and Recommendation on the Defendants' Motion for Costs [ECF No. 187], filed on September 30, 2024. Judge Augustin-Birch has since issued a Report and Recommendation, recommending that the Court grant in part and deny in part Defendants' Motion. [ECF No. 195]. Neither party has submitted objections, and the time to do so has passed. After careful review of the filings, the applicable law, and the record, the Court adopts Judge Augustin-Birch's Report and Recommendation in its entirety.

"In order to challenge the findings and recommendations of the magistrate judge, a party must file written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection." *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir. 2006) (cleaned up). The objections must also present "supporting legal authority." L. Mag. J.R. 4(b). Once a district court receives "objections meeting the specificity requirement set out above," it must "make a de novo determination of those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or


recommendations made by the magistrate judge.” *Macort*, 208 F. App'x at 783–84 (cleaned up). To the extent a party fails to object to parts of the Magistrate Judge’s Report, those portions are reviewed for clear error. *See id.* at 784 (cleaned up).

The parties have not submitted any objections to Judge Augustin-Birch’s Report and Recommendation, and the time to do so has passed. As such, the Court has reviewed the Report and Recommendation for clear error only. Upon this review, the Court finds not only no clear error but also notes that Judge Augustin-Birch’s Report is thorough, cogent, and compelling. The Court adopts the Report and Recommendation in its entirety and grants in part and denies in part the Defendants’ Motion for Costs.

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

1. Magistrate Judge Augustin-Birch’s Report and Recommendation [ECF No. 195] is **AFFIRMED AND ADOPTED.**
2. Plaintiff’s Motion to Approve Settlement [ECF No. 187] is **GRANTED in part and DENIED in part.**

DONE AND ORDERED in the Southern District of Florida on October 28, 2024.


DAVID S. LEIBOWITZ
UNITED STATES DISTRICT JUDGE

cc: counsel of record