

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

MIAMI DIVISION

CASE NO. 08-20738-CIV-JORDAN

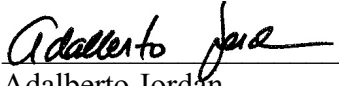
PLATYPUS WEAR, INC., et al.)
)
Plaintiff)
)
vs.)
)
HORIZONTE FABRICACAO)
DISTRIBUICAO IMPORTACAO)
EXPORTACAO LTDA, et al.)
)
Defendants)
_____)

ORDER ADOPTING REPORT & RECOMMENDATION

Upon *de novo* review of the record, I adopt Judge McAliley's report [D.E. 434] recommending that the plaintiffs' motion for sanctions against Horizonte for corrupting payments to third-party fact witnesses be denied. The plaintiffs' motion for sanctions [D.E. 153] is therefore DENIED.

At trial, however, I will have the opportunity to ascertain whether Mr. Baagoe, Mr. Theodosakis, and Mr. Aguirre are improperly biased in Horizonte's favor, or whether they may have altered their testimony to favor Horizonte. If I find that to be the case, I will revisit the issue of sanctions.

DONE and ORDERED in chambers in Miami, Florida, this 16th day of February, 2010.



Adalberto Jordan
United States District Judge

Copy to: All counsel of record
Magistrate Judge McAliley