

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
Miami Division  
**Case Number:09-21245-CIV-MARTINEZ-BROWN**

AMERICAN AIRLINES, INC., a foreign  
corporation,  
Plaintiff,

vs.

ADRIANA VIDAL, et al.,  
Defendants.

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**ORDER ADOPTING MAGISTRATE JUDGE BROWN'S REPORT AND  
RECOMMENDATION**

THE MATTER was referred to the Honorable Stephen T. Brown, United States Magistrate Judge for a Report and Recommendation on Plaintiff, American Airlines, Inc.'s Verified Motion for Attorney's Fees and Costs (**D.E. No. 29**). The Magistrate Judge filed a Report and Recommendation (**D.E. No. 49**), recommending that this Court grant in part and deny in part Plaintiff's motion and award Plaintiff \$20,861.00 in fees and \$400.00 in costs. The Court has reviewed the entire file and record. The Court has made a *de novo* review of the issues that the objections to the Magistrate Judge's Report and Recommendation present, and being otherwise fully advised in the premises, the Court affirms and adopts Magistrate Judge Brown's Report and Recommendation.

Defendant's Adriana Vidal's objections to Magistrate Judge Brown's Report and Recommendation are vague and conclusory.<sup>1</sup> The only specific objections raised by Vidal are

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<sup>1</sup>Defendant Vidal also asks for an evidentiary hearing in her objections. The Court, however, finds that Defendant Vidal has not demonstrated that such a hearing was required in this case. *See Norman v. Housing Auth. of Montgomery*, 836 F. 2d 1292, 1303 (11th Cir. 1988) (describing a situation where an evidentiary hearing would be required such as where there was a dispute of fact and the written record was not sufficiently clear).

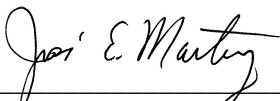
inappropriately raised in her reply brief. *See* (D.E. No. 54). "Arguments raised for the first time in a reply brief are typically waived. . . ." *American Family Life Assur. Co. of Columbus v. Intervoice, Inc.*, 659 F. Supp. 2d 1271, 1278, n.4 (M.D. Ga. 2009). Even if this Court were to consider Vidal's more specific arguments, which in large part are highly speculative and vaguely accuse Plaintiff of spending too much time on certain matters, the Court finds these arguments are adequately addressed and considered by Magistrate Judge Brown's well-reasoned Report and Recommendation in his discussion of the reasonable number of hours expended on litigation. *See* (D.E. No. 49 at 6-7). Therefore, it is hereby:

**ADJUDGED** that United States Magistrate Judge Brown's Report and Recommendation **(D.E. No. 49)** is **AFFIRMED** and **ADOPTED**. Accordingly, it is

**ADJUDGED** that

Plaintiff, American Airlines, Inc.'s Verified Motion for Attorney's Fees and Costs **(D.E. No. 29)** is **GRANTED in part** and **DENIED in part**. Plaintiff American Airlines, Inc. is awarded \$20,861.00 in attorney's fees and \$400.00 in costs.

DONE AND ORDERED in Chambers at Miami, Florida, this 2 day of August, 2010.

  
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JOSE E. MARTINEZ  
UNITED STATES DISTRICT JUDGE

Copies provided to:  
Magistrate Judge Brown  
All Counsel of Record