

UNITED STATES DISTRICT COURT FOR THE
SOUTHERN DISTRICT OF FLORIDA
Miami Division

Case Number: 10-21322 CIV-MORENO

HENRY WOOD,

Plaintiff,

vs.

LUCAR CORPORATION, LLC, a Delaware
limited liability company, and AIRCRAFT
TRUST & FINANCING CORPORATION, a
Delaware corporation, as Trustee of LUCAR
CORPORATION, LLC,

Defendants.

**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION,
GRANTING PLAINTIFF'S MOTION TO DISMISS, AND
GRANTING MOTIONS FOR SANCTIONS**

THE MATTER was referred to the Honorable Edwin G. Torres, United States Magistrate Judge for a Report and Recommendation on Plaintiff's Motion to Dismiss (**D.E. No. 29**), Counter-Plaintiff's Motion for Default Judgment (**D.E. No. 44**), and Defendants' Motions for Rule 11 Sanctions (**D.E. No. 40, 41**). The Magistrate Judge filed a Report and Recommendation (**D.E. No. 48**) on **August 16, 2010**. 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, it is

ADJUDGED that United States Magistrate Judge Edwin G. Torres's Report and Recommendation (**D.E. No. 48**) on **August 16, 2010** is **AFFIRMED** and **ADOPTED**. Accordingly, it is

ADJUDGED that:

- (1) Plaintiff's Motion to Dismiss is GRANTED and all of Plaintiff's claims are dismissed in their entirety with prejudice;
- (2) Counter-Plaintiff's Motion for Default Judgment is GRANTED as to Count 7 of the counter-claim and judgment ENTERED in favor of Counter-Plaintiff and against Counter-Defendant HENRY WOOD for the total amount of \$65,244.20 for which sum let execution issue. Counts 1 through 6 of the counter-claim are dismissed without prejudice; and
- (3) Defendants' Motions for Rule 11 Sanctions are GRANTED but only against Plaintiff HENRY WOOD. Defendants shall submit an affidavits with the Court no later than **September 10, 2010** indicating attorneys fees and costs owed by Plaintiff HENRY WOOD.

DONE AND ORDERED in Chambers at Miami, Florida, this 3rd day of August, 2010.



FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

Copies provided to:

United States Magistrate Judge Edwin G. Torres

Counsel of Record

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Defendants.

FINAL JUDGMENT

Pursuant to Fed. R. Civ. P. 58, and in accordance with the Court's Order Adopting Magistrate Judge's Report and Recommendation, Granting Plaintiff's Motion to Dismiss, and Granting Motions for Sanctions, judgment is ENTERED in favor of the Defendants LUCAR CORPORATION LLC and AIRCRAFT TRUST & FINANCING CORPORATION and against Plaintiff HENRY WOOD.

DONE AND ORDERED in Chambers at Miami, Florida, this 3rd day of August, 2010.



FEDERICO A. MORENO
CHIEF UNITED STATES DISTRICT JUDGE

Copies provided to:

Counsel of Record