

United States District Court  
for the  
Southern District of Florida

Eduardo E. Dimingo, Plaintiff,	)	
	)	
v.	)	Civil Action No. 17-23010-Civ-Scola
	)	
Midnight Xpress, Inc. and others,	)	
Defendants.	)	

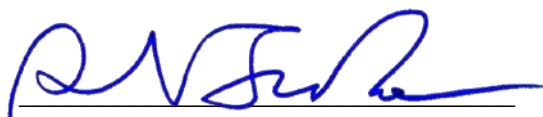
**Order Adopting Magistrate Judge’s Report And Recommendation**

This matter was referred to United States Magistrate Judge Edwin G. Torres for a report and recommendation on the Defendants’ motion to tax costs (ECF No. 104). On October 25, 2018, Judge Torres issued a report, recommending that the Court grant in part and deny in part the Defendants’ motion, and award the Defendants costs in the amount of \$1,728.30. (Report, ECF No. 110.) No objections have been filed and the time to object has passed. Having considered Judge Torres’s report, the record, and the relevant legal authorities, the Court finds Judge Torres’s report and recommendation cogent and compelling. The Court therefore **affirms and adopts** Judge Torres’s report and recommendation (**ECF No. 110**).

The Court also adds that the Defendants sought interest on their costs in their motion, *see* Mot., ECF No. 104 at 7, which Judge Torres did not address in his report. The Court finds that the Defendants are entitled to such interest, calculated pursuant to 28 U.S.C. § 1961, from the date of entry of judgment. *See, e.g., BankAtlantic v. Blythe Eastman Paine Webber, Inc.*, 12 F.3d 1045, 1053 (11th Cir. 1994) (“Supreme Court and this circuit’s precedent is clear: When a district court taxes costs against a losing party, the award of costs bears interest from the date of the original judgment.” (internal quotation marks and citations omitted)); *Spatz v. Microtel Inns & Suites Franchising, Inc.*, No. 11-60509-CIV, 2012 WL 1587663, at \*8 (S.D. Fla. May 4, 2012) (Rosenbaum, Mag. J.) (“The Eleventh Circuit, recognizing that § 1961(a) applies to awards of costs, has held that interest shall accrue on taxable costs from the date the court entered final judgment.” (internal quotation marks and alterations omitted)).

Accordingly, the Court **grants in part and denies in part** the Defendants’ motion (**ECF No. 104**). The Court awards **\$1,728.30** in costs, plus interest, to the Defendants to be paid by Plaintiff Eduardo Dimingo.

**Done and ordered** at Miami, Florida on January 15, 2019.

A handwritten signature in blue ink, appearing to read "R. N. Scola, Jr.", written over a horizontal line.

Robert N. Scola, Jr.  
United States District Judge