

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
CASE NO. 22-CV-21001-WILLIAMS

ELLIES VILLAGE, INC.,

Plaintiff,

v.

WESTCHESTER SURPLUS LINES  
INSURANCE COMPANY,

Defendant.

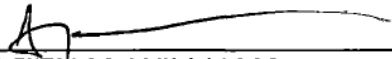
**ORDER**

**THIS MATTER** is before the Court on Magistrate Judge Chris M. McAliley's Report and Recommendation ("**Report**") (DE 19) on the Motion for Partial Judgment on the Pleadings ("**Motion**") filed by Defendant (DE 15), to which Plaintiff did not respond. No objections were filed to the Report, which recommends the Court grant Defendant's Motion "and limit the amount of potentially recoverable compensatory damages to \$100,000.00, which is the maximum amount of Contents/Business Personal Property coverage available under the insurance policy at issue." (DE 19 at 3.) Upon a careful review of the Report, the Motion, and the record, it is **ORDERED AND ADJUDGED** that:

1. Judge McAliley's Report (DE 19) is **AFFIRMED AND ADOPTED**.
2. Defendant's Motion (DE 15) is **GRANTED**.
3. The amount of potentially recoverable compensatory damages is **LIMITED** to \$100,000.00 (one-hundred thousand USD), which is the maximum amount of Contents/Business Personal Property coverage available under the insurance

policy at issue, absent any potential recovery for any interest, costs, or attorneys' fees.

**DONE AND ORDERED** in Chambers in Miami, Florida, this 19th day of September, 2022.

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KATHLEEN M. WILLIAMS  
UNITED STATES DISTRICT JUDGE