

UNITED STATES DISTRICT COURT FOR THE  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

**Case Number: 22-22171-CIV-MARTINEZ-SANCHEZ**

MICHAEL FITZGERALD, individually,  
and YELANY DE VARONA,  
individually,

v.

RONDA MCNAE, individually, and  
WILLIAM MCNAE, individually,

Defendants.

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**ORDER ON REPORT AND RECOMMENDATION**

**THIS MATTER** was referred to the Honorable Eduardo I. Sanchez, United States Magistrate Judge, for a Report and Recommendation on Defendant Ronda McNae's Motion for Attorneys' Fees and Costs Against Plaintiff Yelany de Varona Pursuant to Fla. Stat. § 768.79, (ECF No. 141). Judge Sanchez filed a Report and Recommendation ("R&R"), recommending that the Motion be denied. (ECF No. 175). Defendant Ronda McNae filed objections to the R&R ("Objections"), to which Plaintiff de Varona responded. (ECF Nos. 180, 182). The Court, having conducted a *de novo* review of the record and the issues presented in the Objections, agrees with Magistrate Judge Sanchez that the Motion to for Attorneys' Fees and Costs must be denied. The Court overrules the Objections, (ECF No. 180).

Accordingly, after careful consideration, it is hereby **ADJUDGED** that

1. United States Magistrate Judge Sanchez's R&R, (ECF No. 175), is **AFFIRMED AND ADOPTED**.
2. Defendant Ronda McNae's Motion for Attorneys' Fees and Costs, (ECF No. 141), is **DENIED**.

**DONE AND ORDERED** in Chambers at Miami, Florida, this 29 day of August, 2024.

Copies provided to:  
Magistrate Judge Sanchez  
All Counsel of Record

  
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JOSE E. MARTINEZ  
UNITED STATES DISTRICT JUDGE