

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 15-CV-14005-MARRA**

**DEIRDRE LEVESQUE AND  
TIMOTHY LEVESQUE,**

**Plaintiffs,**

**vs.**

**GOVERNMENT EMPLOYEES INSURANCE  
COMPANY (GEICO),**

**Defendant.**

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**ORDER ADOPTING MAGISTRATE JUDGE'S REPORT AND RECOMMENDATION  
ASSESSING REASONABLE ATTORNEYS' FEES AND COSTS FOR PLAINTIFFS  
AND  
FINAL JUDGMENT AWARDING ATTORNEYS' FEES AND COSTS**

**THIS CAUSE** is before the Court following remand from the Eleventh Circuit Court of Appeals for a determination of “the amount of any reasonable attorneys’ fees the Levesques incurred in their initial [underlying UM/UMI] suit.” *Levesque v. GEICO*, 827 Fed. Appx. 670, 2020 WL 2781408, at \*4 (11<sup>th</sup> Cir. 2020). By Order entered October 1, 2020, this Court previously found the Plaintiffs entitled to recovery of “reasonable attorney fees” incurred in the underlying UM/UMI case over a designated span of time as an element of damage in the instant bad faith case, and referred the matter to the Magistrate Judge for a report and recommendation as to the amount of reasonable attorney fees and costs so incurred by Plaintiffs [DE 370]. The Court thereafter denied the Defendant’s Motion for Reconsideration of that Order [DE 391].


On May 11, 2021, Magistrate Judge Shaniek Maynard entered her Report and Recommendations on the issues [DE 394], and on May 25, 2021 Defendant GEICO filed its Objections to the Report and Recommendations [DE 395]. Pursuant to 28 U.S.C. §636(b)(1) and Fed. R. Civ. P 72(b), the Court has reviewed *de novo* those portions of the Magistrate Judge's Report and Recommendation as to which objection has been lodged.

Following careful review of the Magistrate Judge's Report and consideration of GEICO's objections to that Report, the Court finds the resolution of the issues as recommended by the Magistrate Judge to be sound and well-reasoned. The Court accordingly approves and adopts the Magistrate Judge's Report and Recommendation [DE 394] in full.

It is accordingly **ORDERED** and **ADJUDGED**:

1. Defendant's Objections to the Magistrate Judge's Report and Recommendation as to the amount of a reasonable fee and cost award [DE 395] are **OVERRULED**.
2. The Report and Recommendation of Magistrate Judge Shaniek Maynard [DE 394] is **APPROVED AND ADOPTED** in full.
3. Plaintiffs are awarded attorneys' fees in the amount of \$94,542.50, and costs and litigation expenses in the amount of \$2,465.54, for a **TOTAL AWARD of \$97,008.04**, which shall bear post-judgment interest at the rate of .05 (U.S. Government securities – Treasury constant maturities- 1 -year rate effective June 2, 2021) ( \$0.13 daily interest amount), for which let execution issue..

**DONE** and **SIGNED** in Chambers at West Palm Beach, Florida this 2<sup>nd</sup> day of  
June, 2021.

  
KENNETH A. MARRA  
United States District Judge

Copies furnished to:  
All counsel