

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
FORT WAYNE DIVISION**

TERRY R. COOPER,)	
)	
Plaintiff,)	
)	
v.)	CAUSE NO.: 1:04-CV-385-TS
)	
VERIFICATIONS, INC.,)	
)	
Defendant.)	

ORDER

This matter is before the Court on the Magistrate Judge’s Report and Recommendation [DE 101], filed on November 25, 2008, recommending that: the Defendant’s Motion for Relief from Judgment [DE 96] be denied; the Plaintiff’s Motion for Attorney Fees and Costs [DE 82] be granted in part, with the amount of fees and costs to be awarded be reduced to \$32,236.89 (from \$38,898.49); the Plaintiff’s Supplemental Motion for Additional Fees and Costs Since May 2, 2008, [DE 94] be granted in the amount of \$9141.25; and the Plaintiff’s Motion for Additional Attorneys’ Fees and Costs [DE 99] be granted in the amount of \$2527.

A judge may refer a dispositive matter to a magistrate judge for a report and recommendation pursuant to 28 U.S.C. § 636(b)(1)(B), Federal Rule of Civil Procedure 72(b), and Northern District of Indiana Local Rule 72.1(d)(1). On November 11, 2008, this Court assigned Magistrate Judge Roger B. Cosby to prepare a report and recommendation on the motions mentioned above. Magistrate Judge Cosby filed his Report and Recommendation [DE 101] on November 24, 2008.

This Court’s review of the Magistrate Judge Cosby’s Report and Recommendation is governed by 28 U.S.C. § 636(b)(1)(C), which provides in part:

A judge of the court shall make a de novo determination of those portions of the report or specified proposed findings and recommendations to which objection is made. A judge of the court may accept, reject, or modify, in whole or in part, the findings and recommendations made by the magistrate. The judge may also receive further evidence or recommit the matter to the magistrate with instructions.

28 U.S.C. § 636(b)(1)(C). The statute also requires objections to the Report and Recommendations to be made within ten days of service of a copy of the Report. *Id.*

Because no party has filed any objections to the Magistrate Judge's Report and Recommendation, de novo review is not required. This Court finds that the Report and Recommendation has correctly resolved the issues raised by the parties' motions and briefs. Therefore, the Court accepts the Report and Recommendation on the motions in its entirety.

For the foregoing reasons, the Magistrate Judge's Report and Recommendation [DE 101] is ADOPTED. Accordingly, the Court now DENIES the Defendant's Motion for Relief from Judgment [DE 96]; GRANTS IN PART the Plaintiff's Motion for Attorney Fees and Costs [DE 82], and AWARDS fees and costs in the amount of \$32,236.89; GRANTS the Plaintiff's Supplemental Motion for Additional Fees and Costs Since May 2, 2008, [DE 94] and AWARDS additional fees and costs in the amount of \$9141.25; and GRANTS the Plaintiff's Motion for Additional Attorneys' Fees and Costs [DE 99] and AWARDS additional fees and costs in the amount of \$2527. Thus, the total amount due to the Plaintiff is \$43,904.14

So ORDERED on December 18, 2008.

s/ Theresa L. Springmann
THERESA L. SPRINGMANN
UNITED STATES DISTRICT COURT