

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

TINA M. VARLESI,

Plaintiff,

v.

Case No. 10-14793

Honorable Denise Page Hood

**WAYNE STATE UNIVERSITY,
THE SALVATION ARMY, CAROL
PREMO, ANWAR NAJOR-DURACK,
PHYLLIS I. VROOM, SHAWN J. LEE,
ANTONIO GONZALES-PRENDES,
MARGARET BRUNHOFER and
JOYCE STEFANSKI,**

Defendants.

**ORDER ACCEPTING REPORT AND RECOMMENDATION
AS TO DEFENDANT THE SALVATION ARMY'S MOTION FOR COSTS AND FEES**

This matter is before the Court on Magistrate Judge Michael Hluchaniuk's Report and Recommendation filed February 25, 2013 on Defendant The Salvation Army's Motion for Costs and Attorney Fees. To date, no Objections have been filed to the Report and Recommendation and the time to file such Objections has passed.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusion. The Court agrees with the Magistrate Judge that although Defendant The Salvation Army is a prevailing party, it is not entitled to attorney fees under 42 U.S.C. § 1988(b) and 28 U.S.C. § 1927. The Court further agrees with the Magistrate Judge that other than the costs taxed by the Clerk as the prevailing party, Defendant Salvation Army is not entitled to costs under 42 U.S.C. § 1988(b).

Accordingly,

IT IS ORDERED that the Report and Recommendation of Magistrate Judge Magistrate Judge Michael J. Hluchaniuk filed February 25, 2013 (**Doc. No. 139**) is ACCEPTED and ADOPTED as this Court's findings and conclusions of law.

IT IS FURTHER ORDERED that Defendant Salvation Army's Motion for Costs and Attorney Fees (**Doc. No. 96**) is DENIED.

S/Denise Page Hood
Denise Page Hood
United States District Judge

Dated: March 26, 2013

I hereby certify that a copy of the foregoing document was served upon counsel of record on March 26, 2013, by electronic and/or ordinary mail.

S/LaShawn R. Saulsberry
Case Manager