

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

YOLANDA GORDON,

Plaintiff,

v.

ENHANCED ACQUISITIONS LLC,
RODNEY A. GIOVE, SCOTT RICHMOND,
and LISA SMITH,

Defendants.

Case No. 14-13839

Honorable Nancy G. Edmunds

**ORDER ACCEPTING AND ADOPTING THE MAGISTRATE JUDGE'S REPORT AND
RECOMMENDATION [30]**

In a Report and Recommendation (R&R) issued on May 11, 2017 (Dkt. 30), Magistrate Judge Steven Whalen recommends that this Court *sua sponte* (1) enter a default judgment against Mr. Giovi; (2) award Plaintiff statutory damages of \$1,000.00 and emotional distress damages of \$3,000.00; and (3) direct Plaintiff's counsel to provide documentation to establish the appropriate and reasonable amount of attorney's fees and costs to be paid by Mr. Giovi. Neither party has filed objections to the R&R, and the deadline for doing so has passed. The parties' failure to file objections to the R&R waives any further right to appeal. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987). Furthermore, the failure to object to the R&R releases the Court from its duty to independently review the matter. *Thomas v. Arn*, 474 U.S. 140, 149-50 (1985). Nonetheless, having reviewed the R&R and the record, the Court concurs with the Magistrate Judge's analysis and therefore ACCEPTS and ADOPTS the R&R.

Accordingly, this Court *sua sponte* (1) enters default judgment against Mr. Giovi; (2) awards Plaintiff statutory damages of \$1,000.00 and emotional distress damages of \$3,000.00; and (3) directs Plaintiff's counsel to provide documentation within fourteen (14) days to establish the appropriate and reasonable amount of attorney's fees and costs to be paid by Mr. Giovi.

This Court will enter the final judgment after Plaintiff has submitted documentation establishing the appropriate amount of fees and costs.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: June 1, 2017

I hereby certify that a copy of the foregoing document was served upon counsel of record on June 1, 2017, by electronic and/or ordinary mail.

s/Carol A. Bethel
Case Manager