

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

TROY PIROLOZZI,

:
: CASE NO. 5:07-CV-798
:

Plaintiff,

vs.

: ORDER & OPINION
: [Resolving Doc. No. [279](#).]
:

ERIC STANBRO, ET AL,

Defendants.

JAMES S. GWIN, UNITED STATES DISTRICT JUDGE:

Before the Court is the Magistrate Judge's Report and Recommendation [Doc. [293](#)] on the Plaintiff's Motion to Amend the Judgment for Attorney Fees and Costs. [Doc. [279](#).] The Plaintiff filed his motion for fees after a jury returned a verdict in his favor and against Defendant City of Canton and the Court accordingly entered judgment awarding the Plaintiff a total of \$2,075,000 in damages. [Doc. [274](#).] Defendant City of Canton opposes the motion. [Doc. [279](#).] The Plaintiff has replied. [Doc. [288](#).] The Court referred the Plaintiff's motion to Magistrate Judge James S. Gallas for a Report and Recommendation. After conducting a thorough analysis of the Plaintiff's motion, on September 25, 2009, Magistrate Judge Gallas recommended that this Court grant in part the Plaintiff's motion. [Doc. [293](#).] Magistrate Judge Gallas recommended that the Court should allow reasonable attorney fees and costs in the reduced amount of \$191,255.75. [*Id.* at 16.] Neither party objected to the Magistrate Judge's recommendation.

The Federal Magistrates Act requires a district court to conduct a de novo review only of those portions of the Report to which an objection has been made. [28 U.S.C. § 636\(b\)\(1\)](#). Having conducted its own review of the parties' briefs on the issue, this Court agrees with the conclusions

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of the Magistrate Judge, and adopts the Report and Recommendation as its own.

Therefore, the Court adopts in whole Magistrate Judge Gallas's findings of fact and conclusions of law and incorporates them fully herein by reference. The Court **GRANTS IN PART** the Plaintiff's motion to amend the judgment [Doc. [279](#)] and awards fees and costs in the amount of \$191,255.75.

IT IS SO ORDERED.

Dated: October 29, 2009

s/ James S. Gwin

JAMES S. GWIN
UNITED STATES DISTRICT JUDGE