

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TENNESSEE  
AT CHATTANOOGA**

BMO HARRIS BANK, N.A.,	)	
	)	Case No. 2:16-CV-60
<i>Plaintiff,</i>	)	
	)	Judge Travis R. McDonough
v.	)	
	)	Magistrate Judge Clifton L. Corker
CUSTOM DIESEL EXPRESS, INC. and	)	
JOHN GRIFFITHS,	)	
	)	
<i>Defendants.</i>		

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**ORDER**

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On May 15, 2017, United States Magistrate Judge Clifton L. Corker filed a Report and Recommendation (Doc. 26) pursuant to 28 U.S.C. § 636(b)(1) and Rule 72(b) of the Federal Rules of Civil Procedure. Magistrate Judge Corker recommended that Plaintiff's motion for attorneys' fees be granted and that plaintiff be awarded a judgment for \$23,395.00 in attorneys' fees and \$485.00 in costs.

Neither party has filed objections to Magistrate Judge Corker's Report and Recommendation.<sup>1</sup> Nevertheless, the Court has reviewed the record in this matter, and it agrees with Magistrate Judge Corker's well-reasoned conclusions. Accordingly, the Court **ACCEPTS** and **ADOPTS** Magistrate Judge Corker's findings of fact and conclusions of law. Plaintiff's

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<sup>1</sup> Magistrate Judge Corker specifically advised the parties that they had 14 days in which to object to the Report and Recommendation and that failure to do so would waive their right to appeal. (Doc. 26 at 3); *see also* Fed. R. Civ. P. 72(b)(2); *see also* *Thomas v. Arn*, 474 U.S. 140, 148-51 (1985) (noting that "[i]t does not appear that Congress intended to require district court review of a magistrate's factual or legal conclusions, under a de novo or any other standard, when neither party objects to those findings").

motion for attorneys' fees (Doc. 24) is hereby **GRANTED**. Plaintiff **SHALL** be awarded attorneys' fees in the amount of \$23,395.00 and \$485.00 in costs.

**SO ORDERED.**

*/s/ Travis R. McDonough*

**TRAVIS R. MCDONOUGH**  
**UNITED STATES DISTRICT JUDGE**