

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JOHNNY R. PHILLIPS, and wife)
 LINDA PHILLIPS, and)
 LLOYD PHILLIPS,)
)
 Plaintiffs,)
)
 v.)
)
 WILLIAM FITZGERALD,)
 SABRINA FITZGERALD, and)
 CAROL FITZGERALD,)
)
 Defendants.)

No.: 3:14-CV-156-TAV-CCS

ORDER

This civil matter is before the Court on the Report and Recommendation (“R&R”) entered by United States Magistrate Judge C. Clifford Shirley Jr. on February 19, 2015 [Doc. 12]. In the R&R, Magistrate Judge Shirley recommends that the Court grant in part and deny in part plaintiffs’ Motion for Attorneys’ Fees and Costs [Doc. 11]. Specifically, Magistrate Judge Shirley recommends that the Court award plaintiffs a total of \$8,206.57, representing the attorneys’ fees and expenses that plaintiffs have so far reasonably incurred in litigating this case. Magistrate Judge Shirley recommends that the Court deny plaintiffs’ request for an award of an additional \$2,500, representing the amount that plaintiffs anticipate they will incur in attempting to collect on the judgment in this case. There have been no timely objections to the R&R, and enough time has passed since the

filing of the R&R to treat any objections as having been waived. *See* 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b).

After reviewing the matter, the Court is in agreement with Magistrate Judge Shirley's recommendations, which the Court adopts and incorporates into its ruling. Accordingly, the Court **ACCEPTS IN WHOLE** the R&R [Doc. 12]. Plaintiffs' Motion for Attorneys' Fees and Costs [Doc. 11] is **GRANTED in part and DENIED in part**. Plaintiffs are **AWARDED** a total of **\$8,206.57**, representing \$7,894.73 in attorneys' fees and expenses incurred in obtaining a default judgment in this case, along with \$311.84 in attorneys' fees associated with filing the Motion for Attorneys' Fees and Costs.

IT IS SO ORDERED.

s/ Thomas A. Varlan
CHIEF UNITED STATES DISTRICT JUDGE