

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT
MARSHALL DIVISION**

THOMAS R. LANTRIP, Individually and
on Behalf of All Other Persons Similarly
Situated,

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§
§

Plaintiffs,

§
§

v.

§
§

CASE NO. 2:08-CV-476-TJW-CE

DODEKA L.L.C. and WEINSTEIN &
RILEY P.S. d/b/a/ WEINSTEIN & RILEY
P.S.P.C.

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§
§

Defendants

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ORDER

The above-titled and numbered civil action was referred to United States Magistrate Judge Chad Everingham pursuant to 28 U.S.C. § 636. The report of the Magistrate Judge (Dkt. No. 62) has been presented for consideration. The report recommends that the Court approve the settlement and dismiss the case in accordance with the terms outlined in the parties' settlement agreement. The report recommends that the Court grant Class Counsel request for \$40,000.00 in attorneys' fees, and that the Court approve an incentive award of \$1,000.00 to be paid to Mr. Lantrip. Finally, the report recommends that the Court sustain Defendants' objections to Class Counsel's request for an award of cost in the amount of \$3,503.25, and that the Court award costs in the amount of \$3,088.41. The report notes that the parties waived their right to file written objections to the findings, conclusions, and recommendations contained in the report. FED. R. CIV. P. 72(b)(2); see *Douglass v. United Servs. Auto. Ass'n*, 79 F.3d 1415, 1430 (5th Cir. 1996) (en banc).

The Court is of the opinion that the conclusions of the Magistrate Judge are correct. Therefore, the Court adopts the report of the United States Magistrate Judge, in its entirety, as the conclusions of this Court. Accordingly, the Court will enter a Final Judgment approving the settlement and dismissing the case in accordance with the terms outlined in the parties' settlement agreement. The Court GRANTS Class Counsel request for \$40,000.00 in attorney's fees, approves an incentive award of \$1,000.00 to be paid to Mr. Lantrip, and awards costs in the amount of \$3,088.41.

SIGNED this 15th day of September, 2011.

A handwritten signature in cursive script that reads "T. John Ward". The signature is written in black ink and is positioned above a horizontal line.

T. JOHN WARD
UNITED STATES DISTRICT JUDGE