

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
LYNCHBURG DIVISION**

**ELDERBERRY OF WEBER** )  
**CITY, LLC** )  
**Plaintiff,** )  
 )  
**v.** )  
 )  
**LIVING CENTERS—SOUTHEAST, INC.,** )  
**et. al,** )  
**Defendants.** )

**CASE NO. 6:12-CV-00052**


**ORDER**

For the reasons stated in the accompanying memorandum opinion:

1. The Report and Recommendation of the Magistrate Judge (docket no. 256) is **ADOPTED AND APPROVED** in its entirety.
2. Plaintiff’s Motion for Attorney’s Fees (docket no.197) is **GRANTED, in part**, and Plaintiff is awarded \$278,864.12 in attorney’s fees and expenses.
3. Plaintiff’s Motion to Strike (docket no. 260) is **DENIED AS MOOT**.

It is so **ORDERED**.

Entered this 11th day of August, 2014.

  
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NORMAN K. MOON  
UNITED STATES DISTRICT JUDGE