

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

PATRICIA KENNEDY, individually

Plaintiff,

v.

Case No: 2:16-cv-214-FtM-38MRM

THREE J'S L.L.P., T.T. KWAN, INC.  
and LJ FT. MEYERS LLC,

Defendants.

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**ORDER**<sup>1</sup>

This matter comes before the Court on United States Magistrate Judge Mac R. McCoy's Report and Recommendation. ([Doc. 63](#)). Judge McCoy recommends that Plaintiff's Verified Motion for Attorney's Fees, Costs, Expert Witness Fees, and Litigation Expenses ([Doc. 59](#)) be granted in part and denied in part. The parties have not objected to the Report and Recommendation, and the time to do so has elapsed. This matter is ripe for review.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject, or modify the magistrate judge's report and recommendation. See [28 U.S.C. § 636\(b\)\(1\)](#); see also [Williams v. Wainwright](#), [681 F.2d 732 \(11th Cir. 1982\)](#). In the absence of specific objections, there is no

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requirement that a district judge review factual findings *de novo*, [Garvey v. Vaughn](#), 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations, 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See [Cooper-Houston v. Southern Ry. Co.](#), 37 F.3d 603, 604 (11th Cir. 1994).

After conducting an independent examination of the file and on consideration of Judge McCoy's findings and recommendation, the Court accepts the Report and Recommendation.

Accordingly, it is now **ORDERED**:

- (1) The Report and Recommendation ([Doc. 63](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
- (2) Plaintiff Patricia Kennedy's Verified Motion for Attorney's Fees, Costs, Expert Witness Fees, and Litigation Expenses ([Doc. 59](#)) is **GRANTED in part and DENIED in part**.
- (3) Plaintiff is awarded:
  - a. Attorney's fees totaling \$20,010.00,
  - b. Paralegal fees totaling \$399.00, and
  - c. Expert fees, costs, and litigation expenses totaling \$3,210.00.
- (4) The Clerk of Court is **DIRECTED** to file an Amended Judgment that includes the amounts above and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 22nd day of February, 2018.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record