

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION**

JAMES L. SHELTON and VIRGINIA L.
SHELTON,

Plaintiffs,

v.

Case No: 5:17-cv-86-Oc-40PRL

DWIGHT C. SCHAR, PAUL E.
SIMONSON, DCS INVESTMENTS
HOLDINGS GP, LLC, DCS REAL
ESTATE INVESTMENTS, LLC, DCS
REAL ESTATE INVESTMENTS I, LLC,
DCS REAL ESTATE INVESTMENTS II,
LLC, DCS REAL ESTATE
INVESTMENTS III, LLC, DCS REAL
ESTATE INVESTMENTS IV, LLC, DCS
REAL ESTATE INVESTMENTS IV-A,
LLC, DCS REAL ESTATE
INVESTMENTS V, LLC, BELLA
COLLINA PROPERTY OWNERS
ASSOC., INC., DAVID BURMAN,
AEGIS COMMUNITY MANAGEMENT
SOLUTIONS, INC., RANDALL F.
GREENE, KEITH CLARKE, PAUL
LEBREUX, RICHARD C. ARRIGHI,
JAMES D. RYAN, MICHAEL J. RYAN,
THE RYAN LAW GROUP, LLC,
CULLEN D'AMBROSIO, ROCKING
RED H, LLC, RICKY L. SCHARICH and
BELLA COLLINA TOWERS, LLC,

Defendants.

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ORDER

This cause is before the Court following review of the Declaration of Michael D. Crosbie Regarding Revised Assessment of Attorney Fees Incurred (Doc. 233), filed May

7, 2018. The United States Magistrate Judge has submitted a report recommending that the DCS Defendants' revised assessment of its attorney's fees be granted.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendation.

Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed August 23, 2018 (Doc. 259), is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The Revised Assessment of Attorney Fees (Doc. 233) is **GRANTED**.
3. The Clerk is **DIRECTED** to enter judgment in favor of the DCS Defendants¹ and against Brad Heckenberg in the amount of **\$26,910.39**, and against Lana Heckenberg in the amount of **\$26,910.39**.

DONE AND ORDERED in Orlando, Florida on September 7, 2018.


PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties

¹

Richard C. Arrighi; Bella Collina Towers, LLC; The Club at Bella Collina, LLC; DCS Investments Holdings GP, LLC; DCS Real Estate Investments I, LLC; DCS Real Estate Investments II, LLC; DCS Real Estate Investments III, LLC; DCS Real Estate Investments IV, LLC; DCS Real Estate Investments IV-A, LLC; DCS Real Estate Investments V, LLC; DCS Real Estate Investments, LLC; Rocking Red H, LLC; Dwight C. Schar; Ricky L. Scharich; and Paul E. Simonson.