

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

PATRICIA KENNEDY,

Plaintiff,

v.

Case No: 6:17-cv-1579-Orl-40DCI

BINDI, INC.,

Defendant.

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**ORDER**

This cause comes before the Court on Plaintiff's Motion for Entry of Judgment After Default and Verified Application for Attorney Fees, Costs, Expert Fees and Litigation Expenses (Doc. 12), filed February 13, 2018. On April 26, 2018, Magistrate Judge Daniel C. Irick submitted a report recommending that the motion be denied. (Doc. 13). No party has objected to the Magistrate Judge's Report and Recommendation and the time for doing so has passed.

When litigants fail to object to a magistrate's findings, the district court reviews the report and recommendation for clear error. *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993); *Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at \*1 (M.D. Fla. Jan. 28, 2016). Upon review of the Report and Recommendation for clear error, the Court has found none. Therefore, the Report is due to be adopted in its entirety.

Accordingly, it is **ORDERED** and **ADJUDGED** that:

1. The Magistrate Judge's April 26, 2018, Report and Recommendation is

**ADOPTED AND CONFIRMED** and made a part of this Order.

2. Plaintiff's Motion for Entry of Default Judgment (Doc. 13) is **DENIED**.
3. Plaintiff is granted leave to file an Amended Complaint on or before May 28, 2018.

**DONE AND ORDERED** in Orlando, Florida on May 14, 2018.



PAUL G. BYRON  
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record  
Unrepresented Parties