

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

UNITED STATES OF AMERICA,

Plaintiff,

v.

Case No: 8:18-cv-780-T-36CPT

STEVEN M. DOLETZKY, et al,

Defendants.

---

**ORDER**

This matter comes before the Court upon Mediator Peter J. Grilli's Motion for Relief (Doc. 114), to which the Court ordered Defendant Steven Doletzky to respond (Doc. 116). The Court, having considered the Motion, and being fully advised in the premises, will grant the Motion.

In his Motion, Mr. Grilli requests an order requiring Defendant Doletzky to make payment of his mediation bill. (Doc. 114). Mr. Grilli alleges that the bill was rendered to Defendant Doletzky and the other parties to the mediation on September 24, 2019, and that Defendant Doletzky has not objected to or paid the bill as agreed in the letter, confirming the terms of engagement, which was attached. *See id.* Having received no response from Defendant Doletzky, the Court issued an Order directing him to respond to Mr. Grilli's Motion on April 17, 2020. (Doc. 116). The time to respond has elapsed and Defendant Doletzky has not filed a response. *See id.* The Court, therefore, considers the motion as unopposed.

**DISCUSSION**

Pursuant to Local Rule 9.02(f) (M.D.Fla.), "[a]bsent agreement of the parties and the mediator, mediators shall be compensated at a reasonable hourly rate." Additionally, "the cost of the mediator's services shall be borne equally by the parties to the mediation conference" unless

altered by the Court. *Id.* The Court also incorporated these terms in its Case Management and Scheduling Order. (Doc. 39). Here, Mr. Grilli has provided the Court with the confirmation letter showing the agreed hourly rate for a mediation involving three sides, as well as his invoice showing the total cost split equally among the three parties to the mediation. This Court was faced with a similar motion from the mediator in *Jackson v. Hobart Enterprises, Inc.*, No. 8:06-CV-1759-T-30MAP, 2008 WL 2439345, at \*1 (M.D. Fla. June 13, 2008). Like here, no response was received from the party in default and the motion was deemed unopposed. *Id.* The Court granted the mediator's motion, stating that the party in default had not asserted an inability to afford the mediation fee in question. *Id.* See also *Southwick v. Pystmo, LLC*, No. 2:16-CV-625-FTM-29CM, 2018 WL 3756964, at \*2 (M.D. Fla. July 31, 2018) (granting mediator's motion). Upon consideration, the Court finds that Mr. Grilli is entitled to payment from Defendant Doletzky in the amount of \$675.00, pursuant to the Local Rules, Case Management and Scheduling Order, and mediation confirmation letter sent by Mr. Grilli.

Accordingly, it is **ORDERED**:

1. Mediator Peter J. Grilli's Motion for Relief (Doc. 114), is **GRANTED**. Mr. Grilli is awarded \$675.00, as a reasonable mediation fee. This fee of \$675.00 shall be paid by Defendant Steven Doletzky to Mediator Peter Grilli on or before June 12, 2020.

**DONE AND ORDERED** in Tampa, Florida on May 15, 2020.

  
Charlene Edwards Honeywell  
United States District Judge

Copies to:

Counsel of Record and Unrepresented Parties, if any