

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

**JOSE LUIS GONZALEZ and GERARDO
HORTA OCANA,**

Plaintiffs,

v.

Case No: 6:18-cv-1294-Orl-31TBS

**AGAVE METAL TRADING LLC and
MANUEL A. KEESEE,**

Defendants.

ORDER

This cause comes before the Court on Plaintiff's Motion for Entry of Default Judgment (Doc. 21), filed October 11, 2018.

On December 13, 2018, the United States Magistrate Judge issued a report (Doc. 28) recommending that the motion be granted in part. A Notice of Non-objection to the report was filed December 17, 2018 (Doc. 29). Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation is **CONFIRMED** and **ADOPTED** as part of this Order.
2. The Motion for Default Judgment is **GRANTED** as to Count VII. In all other respects the motion is **DENIED**.
3. Plaintiffs shall have until January 29, 2019, to file an application for an award of attorney's fees and costs solely as to Count VII of their Complaint.

4. Once the issue of attorney's fees and costs is resolved, the Clerk will be directed to enter judgment for Plaintiffs and against Defendants, jointly and severally, for damages in the amount of \$150,000, plus interest at the rate of 5% per annum for the period May 24, 2018, through the date judgment is entered, and any fees and costs taxed.

DONE and **ORDERED** in Chambers, Orlando, Florida on January 15, 2019.




GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Party