

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

DOZR, LTD.,

Plaintiff,

v.

Case No. 8:22-cv-1042-TPB-AEP

BIGHORN CONSTRUCTION  
AND RECLAMATION, LLC,

Defendant.

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**ORDER ADOPTING REPORT AND RECOMMENDATION**

This matter is before the Court on consideration of the report and recommendation of Anthony E. Porcelli, United States Magistrate Judge, entered on December 5, 2023. (Doc. 26). Judge Porcelli recommends that “Plaintiff’s Renewed Motion for Default Judgment” (Doc. 22) be granted. No party has objected, and the time to object has expired.

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. 28 U.S.C. § 636(b)(1); *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must “make a de novo determination of those portions of the [report and recommendation] to which an objection is

made.” 28 U.S.C. § 636(b)(1)(C). When no objection is filed, a court reviews the report and recommendation for clear error. *Macort v. Prem, Inc.*, 208 F. App’x 781, 784 (11th Cir. 2006); *Nettles v. Wainwright*, 677 F.2d 404, 409 (5th Cir. 1982).

Upon due consideration of the record, including Judge Porcelli’s report and recommendation, the Court adopts the report and recommendation. Consequently, the Plaintiff’s renewed motion for default judgment is granted.

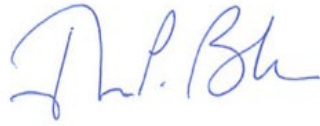
Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

- (1) The report and recommendation (Doc. 26) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) “Plaintiff’s Renewed Motion for Default Judgment” (Doc. 22) is hereby **GRANTED** as to Count I and **DENIED AS MOOT WITHOUT PREJUDICE** as to Count II.
- (3) The Clerk is directed to enter default judgment as to Count I in favor of Plaintiff Dozr, Ltd., and against Defendant Bighorn Construction and Reclamation, LLC, in the amount of \$462,083.13, which includes \$81,541.49 in prejudgment interest.

- (4) Following the entry of judgment, the Clerk is directed to terminate any pending motions and deadlines, and thereafter close this case.

**DONE** and **ORDERED** in Chambers, in Tampa, Florida, this 20th day of December, 2023.



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**TOM BARBER**  
**UNITED STATES DISTRICT JUDGE**