

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

ANNA WHITEHEAD,

Plaintiff,

v.

Case No. 8:22-cv-1482-WFJ-CPT

FLORIDA DELIVERY SERVICES, INC.,

Defendant.

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ORDER

This cause comes before the Court on Plaintiff's motion for default judgment (Dkt. 24). The magistrate judge issued a report recommending that the motion be granted in part and denied in part. Dkt. 26. The time for filing objections has passed.

The Court reviews the legal conclusions *de novo* in the absence of an objection. *See LeCroy v. McNeil*, 397 F. App'x 554, 556 (11th Cir. 2010) (citation omitted); *Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994). The magistrate judge, in a thorough analysis, found that Plaintiff demonstrated liability for her claims of pregnancy discrimination under Title VII, the Pregnancy Discrimination Act ("PDA"), and the FCRA. With respect to damages, however, Plaintiff fails again to include any evidence justifying any certainty that she is entitled to the damages amount she seeks, including attorney's fees and costs. For

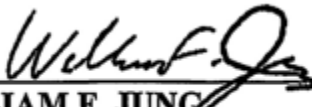
the reasons explained in the Report and Recommendation, and in conjunction with an independent examination of the file, the Court rules as follows:

1. The Report and Recommendation (Dkt. 26) is adopted, confirmed, and approved in all respects and made a part of this order.

2. Plaintiff's motion for default judgment (Dkt. 24) is granted as to the issue of liability on her pregnancy discrimination claim under Title VII/PDA and the FCRA. The motion is otherwise denied without prejudice.

3. Plaintiff shall file a renewed motion for default judgment by February 19, 2024, that contains sufficient detail to support the requested damages figure to the extent it is a liquidated sum, or to file a motion by that date seeking an evidentiary hearing. Plaintiff should pay careful attention to the report at pages 15 and 16, all prior orders and oral rulings, and comply with same. Dkts. 26 at 15–16; 11, 15, 17, 22.

DONE AND ORDERED at Tampa, Florida, on February 5, 2024.



WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

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Plaintiff, *pro se*