

**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.

\_\_\_\_\_ /

**ORDER**

Before the Court is Plaintiff Anna Whitehead's Third Motion for Entry of Default Final Judgment on the Issue of Damages (Dkt. 48) and United States Magistrate Judge Tuite's well-reasoned and thorough report and recommendation (Dkt. 49). Judge Tuite held an evidentiary hearing and now recommends that the motion be granted in part and denied in part. 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 found in a prior order, which was adopted by this Court, that Plaintiff demonstrated liability against her employer Florida Delivery Services, Inc. ("FDS") for her claims of pregnancy discrimination under Title VII and the

FCRA. This third motion addresses damages. After an evidentiary hearing, the magistrate judge properly reduced back pay, compensatory damages, attorney's fees, and costs, and appropriately awarded punitive damages in the full amount sought. 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. 49) is adopted, confirmed, and approved in all respects and made a part of this order.

2. Plaintiff's third motion for default judgment on the issue of damages (Dkt. 48) is granted in part and denied in part as set forth in more detail in the Report and Recommendation at docket 49. Plaintiff is awarded \$5,650 in back pay, \$5,000 in compensatory damages, \$10,000 in punitive damages, \$7,480 in attorney's fees, and \$626 in costs. The motion is otherwise denied.

3. The Clerk is directed to enter final default judgment in favor of Ms. Whitehead and against FDS in the total amount of \$28,756.

4. The Clerk is directed to close the case.

**DONE AND ORDERED** at Tampa, Florida, on December 11, 2024.

  
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**WILLIAM F. JUNG**  
**UNITED STATES DISTRICT JUDGE**

**COPIES FURNISHED TO:**  
Counsel of record