

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

COLLEEN HUDSON-REEVES,

Plaintiff,

v.

Case No: 2:23-cv-1058-JLB-KCD

NEW YORK PIZZA & PASTA,
INC.,

Defendant.

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ORDER

THIS CAUSE comes before the Court on Magistrate Judge Kyle C. Dudek's Report and Recommendation ("R&R") (Doc. 15), which recommends granting Plaintiff's Motion for Attorney's Fees and Costs. (Doc. 14). No objections have been filed, and the time to do so has expired.

When a party fails to timely object to a magistrate judge's report and recommendation, the district court need only satisfy itself that there is no "plain error" on the face of the record. See Greene v. Alabama Dep't of Pub. Health, 715 F. App'x 916, 918 (11th Cir. 2017). "An error is plain here if it was 'so obvious and substantial'" that the district court "should not have permitted it." Id. The district court may accept, reject, or modify the magistrate judge's findings and recommendations in whole or in part. 28 U.S.C. § 636(b)(1).


After careful review of the R&R and the record, the Court finds no plain error in Magistrate Judge Dudek's well-reasoned analysis. The Court finds that the thorough R&R is due to be adopted. The Court agrees that: (1) counsel's hourly rate

of \$400 is reasonable given his experience and expertise; (2) the 13.7 hours expended on the case were reasonable and necessary; (3) the resulting lodestar amount of \$5,480.00 is appropriate; and (4) the costs of \$450 for the filing fee and process server are properly taxable.

Accordingly, it is **ORDERED**:

1. The Report and Recommendation (Doc. 15) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiff's Motion for Attorney's Fees and Costs is **GRANTED**.
3. Plaintiff is **AWARDED** \$5,480.00 in attorney's fees and \$450.00 in costs, for a total award of \$5,930.00.
4. The Clerk is **DIRECTED** to modify the judgment to include this award of attorney's fees and costs, terminate any pending motions and deadlines, and close the file.

ORDERED at Fort Myers, Florida, on November 4, 2024.



JOHN L. BADALAMENTI
UNITED STATES DISTRICT JUDGE