

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

STEPHEN ORRAND,

Plaintiff,

v.

Case No. 8:23-cv-2338-TPB-SPF

TCF ELECTRIC, LLC,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on consideration of the report and recommendation of Sean P. Flynn, United States Magistrate Judge, entered on July 9, 2024. (Doc. 33). Judge Flynn recommends that “Plaintiff’s Motion for Final Default Judgment” (Doc. 32) be granted in part and denied in part. 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 Flynn's well-reasoned report and recommendation, the Court adopts the report and recommendation. Consequently, Plaintiff's motion for final default judgment is granted in part and denied in part.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

- (1) The report and recommendation (Doc. 33) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) "Plaintiff's Motion for Final Default Judgment" (Doc. 32) is **GRANTED in part and DENIED in part** as set forth in the report and recommendation.
- (3) The Clerk is directed to enter a final default judgment in favor of the Plaintiff, Stephen Orrand and against Defendant, TCF Electric.

(4) Plaintiff is awarded back pay in the amount of \$30,200 and costs incurred in this action in the amount of \$515.00.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 2nd day of August, 2024.



TOM BARBER
UNITED STATES DISTRICT JUDGE