

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

TRACY YOUNGBLOOD-MCDANIEL  
and ENDPOINT CAPITAL, LLC,

Plaintiffs,

v.

Case No. 8:24-cv-700-TPB-UAM

DIAGNOSTIC BIOSCIENCE  
LABORATORIES, 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 July 11, 2024. (Doc. 14). Judge Porcelli recommends that Plaintiffs' "Motion for Default Judgment" (Doc. 13) 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, Plaintiffs’ motion for default judgment is granted.

Accordingly, it is

**ORDERED, ADJUDGED, and DECREED:**

- (1) The report and recommendation (Doc. 14) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- (2) Plaintiffs’ “Motion for Default Judgment” (Doc. 13) is hereby **GRANTED**.
- (3) The Clerk is directed to enter default judgment in favor of Plaintiffs and against Defendant, in the amount of \$118,938.00 plus \$470.00 in costs.

(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 29th day of July, 2024.

A handwritten signature in blue ink, appearing to read "T. P. Barber", is written above a horizontal line.

TOM BARBER  
UNITED STATES DISTRICT JUDGE