

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JOSEPH RUDY,

Plaintiff,

v.

Case No: 6:24-cv-1231-JSS-LHP

BEST ELECTRIC AIR
CONDITIONING & PLUMBING
LLC and DOES 1-100,

Defendants.

ORDER

Plaintiff Joseph Rudy moves for attorney’s fees and costs against Defendant Best Electric Air Conditioning & Plumbing LLC pursuant to 28 U.S.C. § 1447(c) and the court’s Order (Dkt. 23).¹ (Motion, Dkt. 28.) On September 4, 2024, United States Magistrate Judge Leslie Hoffman Price entered a Report and Recommendation recommending that Plaintiff’s Motion be granted in part and that Plaintiff be awarded \$1,530.00 in attorney’s fees. (Dkt. 31.) Neither party has filed an objection to the Report and Recommendation, and the time to do so has now passed.

After conducting a careful and complete review of the findings and recommendations, a district judge “may accept, reject, or modify, in whole or in part,

¹ Although the Second Amended Complaint names “DOES 1-100” as Defendants, those Defendants have not been named, appeared in this case, or otherwise participated in this case since removal. (See Dkt. 20.) Accordingly, “DOES 1-100” will not be further discussed herein.

the findings or recommendations made by the magistrate judge.” 28 U.S.C. § 636(b)(1); *see also* Fed. R. Civ. P. 72. With respect to non-dispositive matters, the district judge “must consider timely objections and modify or set aside any part of the order that is clearly erroneous or is contrary to law.” Fed. R. Civ. P. 72(a); *see Jordan v. Comm’r, Miss. Dep’t of Corr.*, 947 F.3d 1322, 1327 (11th Cir. 2020). For dispositive matters, the district judge must conduct a de novo review of any portion of the report and recommendation to which a timely objection is made. 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b)(3); *United States v. Farias-Gonzalez*, 556 F.3d 1181, 1184 n.1 (11th Cir. 2009) (“A district court makes a de novo determination of those portions of a magistrate’s report to which objections are filed.”). Even in the absence of a specific objection, the district judge reviews any legal conclusions de novo. *See Cooper-Houston v. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994); *Ashworth v. Glades Cnty. Bd. of Cnty. Comm’rs*, 379 F. Supp. 3d 1244, 1246 (M.D. Fla. 2019).

Upon conducting a careful and complete review of the Magistrate Judge’s findings, conclusions, and recommendations, and giving de novo review to matters of law, the court adopts the report and recommendation in full.

Accordingly:

1. The Report and Recommendation (Dkt. 31) is **ACCEPTED** and **ADOPTED**.
2. Plaintiff’s Motion for Costs and Attorney’s Fees (Dkt. 28) is **GRANTED IN PART**.

3. Plaintiff is awarded \$1,530.00 in attorney's fees.

4. The Clerk of Court is directed to **CLOSE** this case.

ORDERED in Orlando, Florida, on September 23, 2024.



JULIE S. SNEED
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record