



EDWARD VIGO FLORIAN, Plaintiff, v. CARNIVAL CORPORATION, Defendant.

CASE NO. 10-20721-CIV-KING/BANDSTRA

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF FLORIDA, MIAMI DIVISION

2010 U.S. Dist. LEXIS 125454

**November 29, 2010, Decided
November 29, 2010, Entered on Docket**

PRIOR HISTORY: *Florian v. Carnival Corp., 2010 U.S. Dist. LEXIS 125459 (S.D. Fla., Nov. 9, 2010)*

COUNSEL: [*1] For Edward Vigo Florian, Plaintiff: Keith Steven Brais, Richard Dennis Rusak, Brais & Associates, P.A., Miami, FL.

For Carnival Corporation, Defendant: Scott P. Mebane, LEAD ATTORNEY, Valentina M. Tejera, Mase, Lara, Eversole P.A., Miami, FL; John Maurice Mitchell, Carnival Cruise Lines, Miami, FL.

JUDGES: HONORABLE JAMES LAWRENCE KING, UNITED STATES DISTRICT JUDGE.

OPINION BY: JAMES LAWRENCE KING

OPINION

ORDER ADOPTING MAGISTRATE'S SUPPLEMENTAL REPORT & RECOMMENDATION REGARDING ATTORNEYS' FEES

THIS CAUSE comes before the Court upon Magistrate Judge Ted A. Bandstra's November 10, 2010 Supplemental Report and Recommendation (DE #32) regarding Plaintiff's Renewed Motion for Attorneys' Fees (DE #29), filed October 4, 2010. The matter was referred to Magistrate Judge Bandstra for determination of the proper amount in attorneys' fees that should be awarded to Plaintiff on the basis of Defendant's improper removal. In his Supplemental Report and Recommendation, Ma-

gistrate Judge Bandstra found that an award for \$10,521 to Plaintiff was appropriate. Neither party has filed any objection to the Supplemental Report and Recommendation.

Accordingly, having considered the record and Magistrate Judge Bandstra's findings, it is **ORDERED**, [*2] **ADJUDGED**, and **DECREED** that:

1. Magistrate Judge Bandstra's Report and Recommendation (DE #32) is hereby **AFFIRMED** and **ADOPTED** as an Order of this Court.
2. Plaintiff's Renewed Motion for Attorneys' Fees (DE #29) be **GRANTED in part** in the amount of **\$10,521.00**.
3. All pending motions are **DENIED as MOOT**.
4. The Clerk shall **CLOSE** this case.

DONE AND ORDERED in Chambers, at Miami, Miami-Dade County, Florida, this 29th day of November, 2010.

/s/ James Lawrence King
HONORABLE JAMES LAWRENCE KING
UNITED STATES DISTRICT JUDGE