

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

RAY STOLL and HEIDI IMHOF,

Plaintiffs,

v.

Case No: 8:20-cv-1798-CEH-AAS

MUSCULOSKELETAL INSTITUTE,
CHARTERED,

Defendant.

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ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Amanda Arnold Sansone on July 27, 2022 (Doc. 104). In the Report and Recommendation, Magistrate Judge Sansone recommends that: (1) Plaintiff's Unopposed Motion for Attorney's Fees and Costs (Doc. 100) be granted; (2) Class counsel's attorney's fees request of 33% of the settlement fund, or \$1,333,333.00, be approved; (3) Class counsel's costs and expenses request in the amount of \$17,307.21 be approved; and (4) Any determination on granting incentive awards to class representatives in this matter be deferred until *Johnson v. NPAS Sols., LLC* is fully resolved. All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 104) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
- (2) Plaintiff's Unopposed Motion for Attorney's Fees and Costs (Doc. 100) is GRANTED.
- (3) Class counsel's attorney's fees request of 33% of the settlement fund, or \$1,333,333.00, is approved.
- (4) Class counsel's costs and expenses request in the amount of \$17,307.21 is approved.
- (5) As the Eleventh Circuit has resolved *Johnson v. NPAS Sols., LLC*, 975 F.3d 1244 (11th Cir. 2020) no incentive or service award will be granted to the class representatives.

DONE AND ORDERED at Tampa, Florida on November 14, 2022.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Amanda Arnold Sansone
Counsel of Record