

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

NIKLESH PAREKH,

Plaintiff,

v.

Case No: 6:18-cv-466-Orl-40TBS

CBS CORPORATION and BRIAN
CONYBEARE,

Defendants.

_____ /

ORDER

This cause is before the Court on Defendants' Motion for Attorney Fees (Doc. 108), and Motion for Conversion of Attorney Fee Orders to Judgment (Doc. 112). Magistrate Judge Thomas B. Smith submitted a Report (Doc. 117 (the "**Report**")) recommending that the motions be granted. *Pro se* Plaintiff objected to the Report (Doc. 118) and Defendants responded (Doc. 120).

Upon an independent *de novo* review of the record, and after considering Plaintiff's Objection, the Court agrees with the findings and conclusions in the Report. Plaintiff's Objection merely rehashes arguments previously set forth in his Rule 59(e) motion in which he disagrees with the outcome of this litigation. Whether Plaintiff disagrees with the outcome of this litigation bears no relation to the issue of fees. In fact, Plaintiff's Objection is devoid of any specific challenge to the attorneys' fee amount or prior fee conversion. See *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006) (per curiam) ("It is critical

that the objection be sufficiently specific and not a general objection to the report.”).¹ Magistrate Judge Smith concluded that the number of hours expended by defense counsel and defense counsel’s hourly rates were reasonable, and therefore, Defendants were entitled to the lodestar amount of fees sought. (Doc. 117, p. 5–8). However, Plaintiff does not challenge defense counsel’s hours and hourly rates, or the lodestar amount of fees sought. As such, Plaintiff’s Objection fails to address the substantive analysis in the Report and is thus due to be overruled. See *Mardsden v. Moore*, 847 F.2d 1536, 1548 (11th Cir. 1988) (“Frivolous, conclusive, or general objections need not be considered by the district court.”).

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. Plaintiff’s Objection (Doc. 118) is **OVERRULED**.
2. Magistrate Judge Thomas B. Smith’s Report and Recommendation (Doc. 117) is **ADOPTED** and **CONFIRMED** and made part of this Order.
3. Defendants’ Motion for Attorney Fees (Doc. 108) is **GRANTED**.
4. Defendants’ Motion for Conversion of Attorney Fee Orders to Judgment (Doc. 112) is **GRANTED**.
5. Defendants CBS Corporation and Brian Conybeare are awarded **\$139,974.24** in attorney’s fees against Plaintiff Niklesh Parekh.
6. The Clerk of Court is **DIRECTED** to enter a single judgment for Defendants CBS Corporation and Brian Conybeare and against Plaintiff Niklesh Parekh for

¹ “Unpublished opinions are not controlling authority and are persuasive only insofar as their legal analysis warrants.” *Bonilla v. Baker Concrete Const., Inc.*, 487 F.3d 1340, 1345 (11th Cir. 2007).

\$139,974.24 in attorney's fees that accrues interest at the rate prescribed by law.

DONE AND ORDERED in Orlando, Florida on April 19, 2019.



PAUL G. BYRON
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record
Unrepresented Parties