

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 0:15-CV-60082-DIMITROULEAS/SNOW

SECURITIES AND EXCHANGE COMMISSION,

Plaintiff,
vs.

FREDERIC ELM f/k/a FREDERIC ELMALEH,
ELM TREE INVESTMENT ADVISORS LLC,
ELM TREE INVESTMENT FUND LP,
ELM TREE 'E'CONOMY FUND LP, AND
ELM TREE MOTION OPPORTUNITY LP,

Defendants,
and

AMANDA ELM f/k/a AMANDA ELMALEH,

Relief Defendant.

ORDER ADOPTING REPORT OF MAGISTRATE JUDGE

THIS CAUSE is before the Court the Receiver's Second Interim Application for Allowance and Payment of Fees and Expenses Incurred by the Receiver and Retained Counsel [DE 125], and the Report and Recommendation of Magistrate Judge Lurana S. Snow [DE 129], dated November 18, 2015. The Court notes that no objections to the Report [DE 129] have been filed, and the time for filing such objections has passed. As no timely objections were filed, the Magistrate Judge's factual findings in the Report [DE 355] are hereby adopted and deemed incorporated into this opinion. *LoConte v. Dugger*, 847 F.2d 745, 749-50 (11th Cir. 1988), *cert. denied*, 488 U.S. 958 (1988); *RTC v. Hallmark Builders, Inc.*, 996 F.2d 1144, 1149 (11th Cir. 1993).


Although no timely objections were filed, the Court has conducted a *de novo* review

of the Report [DE 129] and record and is otherwise fully advised in the premises. The Court agrees with the Magistrate Judge's reasoning and conclusions.

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

1. The Report [DE 129] is hereby **ADOPTED** and **APPROVED**;
2. The Receiver's Second Interim Application for Allowance and Payment of Fees and Expenses Incurred by the Receiver and Retained Counsel [DE 125] is hereby **GRANTED**;
3. The Receiver be authorized to pay herself and MMA the total amount of \$147,675.64 (\$145,855.75 in fees + \$1,819.89 in expenses) and to pay Broad and Cassell the total amount of \$112,262.49 (\$106,452.50 in fees + \$5,809.99 in expenses).

DONE AND ORDERED in Chambers at Fort Lauderdale, Broward County, Florida, this 8th day of December, 2015.


WILLIAM P. DIMITROULEAS
United States District Judge

Copies furnished to:

Counsel of Record