

Not Reported in F.Supp.2d, 2008 WL 656052 (S.D.Ind.)
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Only the Westlaw citation is currently available.

United States District Court,
S.D. Indiana,
New Albany Division.
Shaunne OLSON, Plaintiff,
v.
HMS WESTPAC EXPRESS, INC., Defendant.

No. 4:06-cv-154-SEB-WGH.
March 5, 2008.

[Dennis M. O'Bryan](#), [Howard Michael Cohen](#), O'Bryan
BaunCohen Kuebler, Birmingham, MI, for Plaintiff.

[Stephanie R. Miller](#), Miller & Miller, Louisville, KY,
for Defendant.

***ORDER ADOPTING REPORT AND RECOM-
MENDATION***

[SARAH EVANS BARKER](#), Judge.

*1 The Magistrate Judge submitted his Report and Recommendation (Docket No. 78) on Plaintiff's Motion for Maintenance and Cure (Docket No. 11), and the parties were afforded due opportunity pursuant to statute and the rules of this Court to file objections. The Court, having considered the Magistrate Judge's Report and Recommendation, finding it to be well-reasoned, and also finding that the parties have filed no objections thereto, now adopts the Magistrate Judge's Report and Recommendation. Plaintiff's Motion for Maintenance and Cure (Docket No. 11) is, thus, GRANTED.

Defendant is hereby ordered to pay Plaintiff the maintenance and cure he is due within ten (10) days of the date of this order. If the parties do not agree on the precise dollar amount to be paid to Plaintiff, then

Defendant shall pay Plaintiff an estimate of reasonable maintenance and cure within ten (10) days of the date of this order. The parties shall then notify the Court of their dispute and move for a hearing to determine the precise amount.

Plaintiff's counsel are awarded reasonable attorneys' fees for their work as described on pages 13 and 14 of Docket No. 78 in an amount yet to be determined. Plaintiff's counsel shall, on or before April 15, 2008, file a motion for attorneys' fees with supporting documentation setting forth the tasks performed, the time spent, and the fees billed for their services. Defendant may respond and Plaintiff may reply in accordance with [Fed.R.Civ.P. 6](#) and Local Rule 7.1.

IT IS SO ORDERED.

S.D.Ind.,2008.

Olson v. HMS Westpac Exp., Inc.

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