

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

Case No.: 1:13-cv-21891-UU

CASINO ROYALE, LLC,

Plaintiff,

v.

FITTIPALDI INDUSTRIA NAUTICA  
LTDA., *et al.*,

Defendants.

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**ORDER ADOPTING MAGISTRATE'S REPORT AND RECOMMENDATION**


THIS CAUSE is before the Court upon Plaintiff's Motion for Additional Sanctions for Defendant's Contempt, D.E. 86. The Honorable Alicia M. Otazo-Reyes, United States Magistrate Judge, has issued a Report and Recommendation, D.E. 91, dated February 16, 2017, recommending that Plaintiff's Motion be granted, such that this Court: (1) enter an Order holding Defendant Wilson Fittipaldi, Jr. in civil contempt for failing to comply with the Order to Compel, D.E. 83, failing to appear before the Magistrate Judge Otazo-Reyes on July 6, 2016 and February 16, 2017 at Judge Otazo-Reyes' Order to Show Cause hearings; (2) continue to impose a fine of \$100 per day until Fittipaldi purges himself of the contempt; and (3) issue a warrant for Fittipaldi's arrest and hold him in custody until he purges himself of the contempt. No party has filed an objection to the Report, and the time to do so pursuant to Local Magistrate Rule 4(b) has elapsed. The matter is therefore ripe for disposition.

THIS COURT has made a review of the entire file and record herein, and, being otherwise fully advised in the premises, it is hereby

ORDERED AND ADJUDGED as follows:

- (1) The Report and Recommendation, D.E. 91, is RATIFIED, AFFIRMED and ADOPTED. Accordingly, Plaintiff's Motion, D.E. 86, is GRANTED;
- (2) Defendant Wilson Fittipaldi, Jr. is hereby held in civil contempt for failing to comply with the Order to Compel, D.E. 83, and for failure to appear before the Magistrate Judge Otazo-Reyes on July 6, 2016 and February 16, 2017 to respond to the Orders to Show Cause;
- (3) The Court will continue to impose a fine of \$100 per day against Defendant Wilson Fittipaldi, Jr., as set forth in the Court's October 4, 2016 Order Adopting Report and Recommendation, until he purges himself of the contempt;
- (4) **The Court HEREBY authorizes a warrant for the arrest of Defendant Wilson Fittipaldi, Jr. Defendant Wilson Fittipaldi, Jr. SHALL be held in custody until he purges himself of the contempt.**
- (5) Plaintiff SHALL serve this Order on Defendant Wilson Fittipaldi, Jr. in accordance with the Federal Rules of Civil Procedure. Plaintiff SHALL file proof of service with the Court by **Monday, March 20, 2017.**
- (6) The Clerk of Court SHALL mail a copy of this Order to Wilson Fittipaldi, Jr. at Alameda Dalias, 224, Alphaville VI, Santana de Parnaiba, Sao Paulo, Brazil. The Clerk of Court SHALL file proof with the Court no later than **Monday, March 20, 2017.**

DONE AND ORDERED in Chambers at Miami, Florida, this 8<sup>th</sup> day of March, 2017.

  
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URSULA UNGARO  
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record