

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

First American Title Insurance Company v. Commerce Associates, LLC, et al.

First American Title · No. 2:15-cv-00832-RFB-MDC · Decided January 5, 2026

SUMMARY

The United States District Court for the District of Nevada adopted a magistrate judge’s Report and Recommendation after no objections were filed. The court partially granted First American Title Insurance Company’s motion for attorney’s and expert fees and awarded \$389,310 in attorney’s fees and \$18,539.15 in expert fees under the Purchase Agreement.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Richard F. Boulware, II
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 5, 2026
DOCKET	2:15-cv-00832-RFB-MDC
DISPOSITION	other
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation concerning First American Title Insurance Company's motion for attorney's fees and expert fees. No objections were filed, and the district court accepted and adopted the Report and Recommendation in full and granted the motion in part.
STANDARD OF REVIEW	Under 28 U.S.C. § 636(b)(1), specific objections require de novo review of the portions of a magistrate judge's report to which objection is made; when no objections are filed, the district court is not required to conduct review of the report and recommendation.
PRECEDENTIAL VALUE	nonprecedential district court order

TOPICS

attorney fees costs civil procedure contracts commercial litigation

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the district court should accept and adopt the magistrate judge's Report and Recommendation when no objections were filed.
2. Whether First American Title Insurance Company's motion for an award of attorney's fees and expert fees should be granted.

HOLDINGS

1. The district court accepted and adopted the Report and Recommendation in full after no party filed objections and after reviewing the record and concurring with the magistrate judge's recommendation.
2. First American Title Insurance Company's motion for attorney's fees and expert fees was granted in part, and First American was awarded \$389,310 in reasonable attorney's fees and \$18,539.15 in reasonable expert fees, totaling \$407,849.15 pursuant to the Purchase Agreement.

KEY QUOTATIONS

“Where a party fails to object, however, a district court is not required to conduct “any review,” de novo or otherwise, of the report and recommendations of a magistrate judge.” (at 1)

“IT IS THEREFORE ORDERED that the Report and Recommendation (ECF No. 227) is ACCEPTED and ADOPTED in full.” (at 2)

FACTUAL BACKGROUND

The order concerns First American Title Insurance Company's request for attorney's fees and expert fees under a Purchase Agreement. The magistrate judge recommended disposition of the fee motion. The district court adopted that recommendation and awarded \$389,310 in attorney's fees and \$18,539.15 in expert fees.

PROCEDURAL HISTORY

Magistrate Judge Maximiliano D. Couvillier, III, entered a Report and Recommendation on November 24, 2025. Objections were due December 8, 2025, but none were filed. The district court reviewed the record, concurred with the recommendation, accepted and adopted it in full, and partially granted First American's motion for fees.

DISPOSITION

other

CASES CITED

- Thomas v. Arn, 474 U.S. 140, 149 (1985)

OPINION

1 2 3 4 UNITED STATES DISTRICT COURT 5 DISTRICT OF NEVADA 6 * * * 7 FIRST
AMERICAN TITLE INSURANCE Case No. 2:15-cv-00832-RFB-MDC COMPANY, 8 ORDER
Plaintiff, 9 v. 10 11 COMMERCE ASSOCIATES, LLC, ET AL., 12 Defendants. 13 14 Before the
Court for consideration is the Report and Recommendation (ECF No. 227) of 15 the Honorable
Maximiliano D. Couvillier, III, United States Magistrate Judge, entered on 16 November 24, 2025.

A district court “may accept, reject, or modify, in whole or in part, the 17 findings or
recommendations made by the magistrate.” 28 U.S.C. § 636(b)(1). A party may file 18 specific
written objections to the findings and recommendations of a magistrate judge. 28 U.S.C. 19 §
636(b)(1); Local Rule IB 3-2(a). When written objections have been filed, the district court is 20
required to “make a de novo determination of those portions of the report or specified proposed 21
findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1); see also Local
22 Rule IB 3-2(b).

Where a party fails to object, however, a district court is not required to conduct 23 “any review,”
de novo or otherwise, of the report and recommendations of a magistrate judge. 24 Thomas v. Arn,
474 U.S. 140, 149 (1985). Pursuant to Local Rule IB 3-2(a), objections were due 25 by December
8, 2025. No objections have been filed.

The Court has reviewed the record in this 26 case and concurs with the Magistrate Judge’s
recommendation. 27 /// 28] IT IS THEREFORE ORDERED that the Report and Recommendation
(ECF No. 227) 2| is ACCEPTED and ADOPTED in full. 3 IT IS FURTHER ORDERED that First
American Title Insurance Company’s Motion for 4| an Award of Attorney’s Fees and Expert Fees
(ECF No. 222) is GRANTED in part.

5 IT IS FURTHER ORDERED that First American Title Insurance Company be AWARDED
\$389,310 in reasonable attorneys’ fees and \$18,539.15 in reasonable expert fees, 7 | totaling to
\$407,849.15 pursuant to the Purchase Agreement. 8 9 DATED: January 5, 2026. 11 RICHARD F.
BOULWARE, II 2 UNITED STATES DISTRICT JUDGE 13 14 15 16 17 18 19 20 21 22 23 24 25
26 27 28 _2-