

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

J. David John v. Megan Marie Bolinder, et al.

John v. Bolinder · No. 25-CV-23480-GAYLES/D’ANGELO · Decided February 19, 2026

SUMMARY

The United States District Court for the Southern District of Florida adopts a magistrate judge’s report and recommendation concerning a motion to designate the plaintiff a vexatious litigant and a motion for attorney’s fees. The court denies the vexatious-litigant motion and awards Defendant Megan Bolinder \$7,185.20 in reasonable attorney’s fees based on the plaintiff’s bad-faith conduct.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
WRITING FOR THE COURT	Darrin P. Gayles
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	February 19, 2026
DOCKET	25-CV-23480-GAYLES/D’ANGELO
DISPOSITION	other
PROCEDURAL POSTURE	Order adopting a magistrate judge's report and recommendation after de novo review of the plaintiff's objections.
STANDARD OF REVIEW	Specific objections to a magistrate judge's report and recommendation are reviewed de novo; portions without specific objections are reviewed for clear error.
PRECEDENTIAL VALUE	unpublished district court order
PARTIES	J. David John v. Megan Marie Bolinder, et al.

TOPICS

- attorney fees
- sanctions
- civil procedure

PRACTICE AREAS

- Civil procedure
- Attorney's fees
- Sanctions

QUESTIONS PRESENTED

1. Whether the magistrate judge's recommendation regarding designation of Plaintiff as a vexatious litigant should be adopted.
2. Whether Defendant Bolinder should be awarded attorney's fees based on Plaintiff's bad-faith conduct in the litigation.
3. What standard of review applies to the objected and unobjected portions of the magistrate judge's report and recommendation.

HOLDINGS

1. Specific objections to a magistrate judge's report and recommendation receive de novo review, while portions lacking a specific objection are reviewed for clear error.
2. The motion to designate Plaintiff as a vexatious litigant is denied.
3. Defendant Bolinder is awarded \$7,185.20 in reasonable attorney's fees pursuant to the court's inherent authority because Plaintiff acted in bad faith in conducting the litigation.

FACTUAL BACKGROUND

Defendant Megan Bolinder sought to have Plaintiff designated as a vexatious litigant and sought attorney's fees. The magistrate judge concluded that the vexatious-litigant motion should be denied and that the attorney's-fee motion should be granted in part. The district court adopted those conclusions and found that Plaintiff acted in bad faith in conducting the litigation.

PROCEDURAL HISTORY

The case was referred to Magistrate Judge Ellen F. D'Angelo for pretrial non-dispositive matters and reports and recommendations on dispositive matters. Defendant Megan Bolinder moved to designate Plaintiff as a vexatious litigant and moved for attorney's fees. The magistrate judge recommended denying the vexatious-litigant motion and granting the fee motion in part; Plaintiff objected, and the district court adopted the Report and Recommendation in full.

DISPOSITION

other

CASES CITED

- United States v. Schultz, 565 F.3d 1353, 1360 (11th Cir. 2009)
- Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C., 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001)
- Macort v. Prem, Inc., 208 F. App'x 781, 784 (11th Cir. 2006)

OPINION

John

PER CURIAM.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 25-CV-23480-GAYLES/D'ANGELO

J. DAVID JOHN,

Plaintiff, v. MEGAN MARIE BOLINDER, et al., Defendants.

ORDER

THIS CAUSE comes before the Court on the Omnibus Report and Recommendation of Magistrate Judge Ellen F. D'Angelo (the "Report"). [ECF No. 43]. On August 7, 2025, this Court referred the case to Judge D'Angelo for a ruling on all pretrial non-dispositive matters and a report and recommendation on all dispositive matters. [ECF No. 15]. Defendant Megan Bolinder ("Defendant Bolinder") subsequently filed a Motion to Designate Plaintiff a Vexatious Litigant [ECF No. 27] and a Motion for Attorney's Fees [ECF No. 32]. On February 2, 2026, Judge D'Angelo issued her Report recommending that the Motion to Designate Plaintiff a Vexatious Litigant be denied and that the Motion for Attorney's Fees be granted in part. [ECF No. 43]. Plaintiff timely objected to the Report. [ECF No. 44]. A district court may accept, reject, or modify a magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1)(C). The objected portions of the report and recommendation are accorded de novo review if those objections "pinpoint the specific findings that the party disagrees with." *United States v. Schultz*, 565 F.3d 1353, 1360 (11th Cir. 2009); see also *Fed. R. Civ. P. 72(b)(3)*. Any portions of the report and recommendation to which no specific objection is made are reviewed only for clear error. *Liberty Am. Ins. Grp., Inc. v. WestPoint Underwriters, L.L.C.*, 199 F. Supp. 2d 1271, 1276 (M.D. Fla. 2001); accord *Macort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). After conducting a de novo review of the record, the Court agrees with Judge D'Angelo's well-reasoned analysis and conclusions that the Motion to Designate Plaintiff as a Vexatious Litigant should be denied and that the Motion for Attorney's Fees should be granted in part.

CONCLUSION

Therefore, it is ORDERED AND ADJUDGED as follows:

- (1) The Report and Recommendation, [ECF No. 43], is ADOPTED in full.
- (2) Defendant Bolinder's Motion to Designate Plaintiff as a Vexatious Litigant, [ECF No. 27], is DENIED.
- (3) Defendant Bolinder's Motion for Attorney's Fees, [ECF No. 32], is GRANTED IN PART. Defendant Bolinder shall be awarded \$7,185.20 in reasonable attorney's fees, pursuant to the Court's inherent authority, based on Plaintiffs bad faith in conducting this litigation. DONE AND ORDERED in Chambers at Miami, Florida, this 19th day of February, 2026.

DARRIN P. GAYLES

UNITED STATES DISTRICT JUDGE

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