

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JASON TOMCZAK on his own behalf and  
others similarly situated,

Plaintiff,

vs.

Case No. 2:08-cv-178-FtM-29SPC

GLOBAL LINK SYSTEMS, INC. a Florida  
corporation,

Defendant.

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**OPINION AND ORDER**

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #21), filed December 17, 2008, recommending that the Joint Motion for Approval of Settlement Agreement as Stipulated Final Judgment (Doc. #20) be granted, the settlement agreement be approved, and that the case be dismissed with prejudice. No objections have been filed and the time to do so has expired.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. §

636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

After conducting an independent examination of the file and upon due consideration of the Report and Recommendation, the Court accepts the Report and Recommendation of the magistrate judge and finds the settlement agreement to be fair and reasonable.

Accordingly, it is now

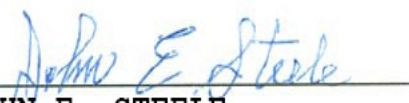
**ORDERED:**

1. The Report and Recommendation (Doc. #21) is hereby **adopted** and the findings incorporated herein.

2. The parties' Joint Motion for Approval of Settlement Agreement as Stipulated Final Judgment (Doc. #20) is **GRANTED** and the Settlement Agreement, Waiver, and Release (Doc. #20-2) is approved as fair and reasonable.

3. The Clerk shall enter judgment dismissing the case with prejudice, except as otherwise agreed by the Settlement Agreement, Waiver, and Release (Doc. #20-2). The Clerk is further directed to terminate all deadlines as moot and close the file.

**DONE AND ORDERED** at Fort Myers, Florida, this 5th day of January, 2009.

  
**JOHN E. STEELE**  
United States District Judge

Copies:

Hon. Sheri Polster Chappell  
United States Magistrate Judge

Counsel of Record  
Unrepresented parties