

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JUAN GASPAR-BUERRERO, ISMAEL
FERNANDEZ-FERNANDEZ, RAMIRO
FERNANDEZ-FERNANDEZ, BENITO ROMERO-
CLAUDIO, ANSELMO SEGURA-GONZALEZ,

Plaintiffs,

vs.

Case No. 2:09-cv-384-FtM-29DNF

EVERGLADES HARVESTING & HAULING,
INC.,

Defendant.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #29), filed May 13, 2010, recommending that the parties' Joint Motion for Approval of Settlement Agreement (Doc. #28) be granted, the Settlement Agreement, Full and Final Release (Doc. #28-1) be approved as fair and reasonable, and 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 that the settlement is fair and reasonable.

Accordingly, it is now

ORDERED:

1. The Report and Recommendation (Doc. #29) is hereby **adopted** and the findings incorporated herein.

2. The parties' Joint Motion for Approval of Settlement Agreement (Doc. #28) is **granted**, and the Settlement Agreement, Full and Final Release (Doc. #28-1) is **approved** as fair and reasonable.

3. The Clerk shall enter judgment **dismissing** the case with prejudice, except as otherwise provided by the Settlement Agreement, Full and Final Release (Doc. #28-1), terminate all deadlines and motions, and close the file.

DONE AND ORDERED at Fort Myers, Florida, this 1st day of June, 2010.



JOHN E. STEELE
United States District Judge

Copies:

Hon. Gustave J. DiBianco
United States Magistrate Judge

Counsel of Record
Unrepresented parties