

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ELADIO BURGOS, JR.,

Plaintiff,

vs.

Case No. 2:10-cv-194-FtM-29SPC

VALLEYCREST GOLF COURSE MAINTENANCE,  
INC., a Foreign Profit 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. #24), filed September 13, 2010, recommending that the Joint Motion for Approval of Settlement (Doc. #24) be granted, the settlement agreement approved, and the case dismissed with prejudice pursuant to the agreement. 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. #24) is hereby **adopted** and the findings incorporated herein.

2. The Joint Motion for Approval of Settlement (Doc. #24) is **GRANTED** and the Settlement Agreement (Doc. #23, Exh. A) is **approved** as fair and reasonable.

3. The Clerk shall enter judgment **dismissing** the case with prejudice, terminate all deadlines, and close the file.

**DONE AND ORDERED** at Fort Myers, Florida, this 28th day of September, 2010.

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

Copies:  
Hon. Sheri Polster Chappell  
  
Counsel of Record