

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

GARY R. ORR, on behalf of himself
and others similarly situated,

Plaintiff,

vs.

Case No. 2:08-cv-715-FtM-29DNF

DICK WILLIAMS, INC., a Florida
corporation, RICHARD G. WILLIAMS,
individually,

Defendants.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #35), filed August 25, 2009, recommending that the Stipulation of Dismissal (Doc. #30) be granted, the settlement be approved as fair and reasonable, and the case be dismissed. 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 approves the settlement as fair and reasonable. The undersigned also declines to re-visit the required disclosure of the settlement terms.

Accordingly, it is now

ORDERED:

1. The Report and Recommendation (Doc. #35) is hereby **adopted** and the findings incorporated herein.


2. The parties' Stipulation of Dismissal (Doc. #30) is **GRANTED**.

3. The parties' Mediated Settlement Agreement (Doc. #34-2) is **approved** as fair and reasonable.

4. The Clerk shall enter judgment dismissing the case with prejudice with each party to bear their own costs and fees. The

Clerk is further directed to terminate all deadlines and motions and to close the file.

DONE AND ORDERED at Fort Myers, Florida, this 13th day of September, 2009.



JOHN E. STEELE
United States District Judge

Copies:
Hon. Douglas N. Frazier
United States Magistrate Judge

Counsel of Record
Unrepresented parties