

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ELEAZAR CARDONA, and other
similarly-situated individuals,

Plaintiff,

vs.

Case No. 2:09-cv-707-FtM-29SPC

SUN STATE ENTERPRISES, INC.,

Defendant.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #30), filed November 4, 2010, recommending that the Joint Motion to Approve Settlement (Doc. #29) be granted, the settlement agreement be approved, and the case 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 approves the settlement as fair and reasonable.

Accordingly, it is now


ORDERED:

1. The Report and Recommendation (Doc. #30) is hereby **adopted** and the findings incorporated herein.

2. The parties' Joint Motion to Approve Settlement (Doc. #29) is **GRANTED** and the Settlement Agreement and General Release (Doc. #29-1) 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. The Clerk is further directed to terminate all pending motions and deadlines as moot and to close the file.

DONE AND ORDERED at Fort Myers, Florida, this 30th day of November, 2010.



JOHN E. STEELE
United States District Judge

Copies:

Hon. Sheri Polster Chappell
United States Magistrate Judge

Counsel of Record
Unrepresented parties