

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FT. MYERS DIVISION**

MICHAEL CHARETTE, on his own behalf and all
similarly situated individuals,

Plaintiff,

v.

CASE NO. 2:09-CV-839-FtM-36SPC

STEELE TRUCK CENTER, INC.,
A Florida Profit Corporation

Defendant.

ORDER

THIS CAUSE came on for consideration upon the Report and Recommendation filed by United States Magistrate Judge Sheri Polster Chappell on April 5, 2010 (Dkt. 18) recommending that the Court approve the parties' settlement agreement and dismiss this action with prejudice (Dkt. 17). The Court notes that neither party filed written objections to the Report and Recommendation, and the time for filing such objections has expired.

After careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects. The Court is satisfied that the settlement reached between the parties is a "fair and reasonable resolution of a bona fide dispute" of the claims raised pursuant to the Fair Labor Standards Act. *See Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1355 (11th Cir.1982); 29 U.S.C. § 216.

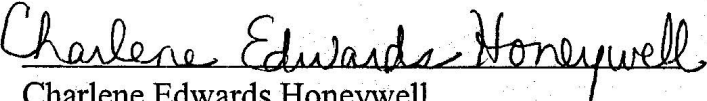
ACCORDINGLY, it is hereby, **ORDERED AND ADJUDGED** as follows:

1) The Report and Recommendation of the Magistrate Judge (Dkt. 18) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.

2) The Joint Motion for Approval of Settlement Agreement as Stipulated Final Judgement (Dkt. 17) is **GRANTED**. The Settlement Agreement (Dkt. 17, Ex. 1) is **APPROVED**, as the settlement between the parties is a fair and reasonable resolution of a bona fide dispute.

3) The clerk is directed to terminate any pending motions/deadlines, dismiss this action with prejudice, and **CLOSE** this case.

DONE AND ORDERED at Ft. Myers, Florida, on April 21, 2010.


Charlene Edwards Honeywell
United States District Judge

COPIES TO:
UNITED STATES MAGISTRATE JUDGE SHERI P. CHAPPELL
COUNSEL OF RECORD