

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

JENNIFER EMORY; VIRGINIA KNIGHT, and  
ALISON HOSTERMAN, on behalf of themselves  
and all others similarly situated,

Plaintiffs,

v.

CASE NO. 2:10-CV-87-FtM-36SPC

BLUE OCEAN HEALTHCARE PHYSICIANS  
GROUP, LLC, a Florida Limited Liability  
Company; STEVEN D. SHELL, Individually;  
STEPHANIE J. SHELL, Individually,

Defendants.

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**ORDER**

**THIS CAUSE** came on for consideration upon the Report and Recommendation filed by United States Magistrate Judge Sheri Chappell on April 12, 2011<sup>1</sup> (Dkt. 31), recommending that the Court grant the Joint Motion Requesting Approval of Settlement Agreement and Entry of an Order of Dismissal (Dkt. 30).<sup>2</sup> None of the parties filed objections to the Magistrate's Report and Recommendation.

After careful consideration of the Report and Recommendation of the Magistrate Judge, in

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<sup>1</sup> The Report and Recommendation is dated April 13, 2011. This appears to be a scrivener's error, as the Report and Recommendation was docketed on April 12, 2011.

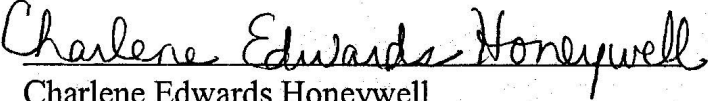
<sup>2</sup> The Magistrate refers to the Joint Motion as one filed by all Plaintiffs and only one Defendant, Blue Ocean Healthcare Physician's Group, LLC (Dkt. 31, pp. 1, 3). However, the Joint Motion was filed by all Plaintiffs and all Defendants (Dkt. 30, p. 1). Therefore, the Court construes the Report and Recommendation to include all Defendants. This Order approving the Report and Recommendation applies to all of the parties, including Defendants Steven Shell and Stephanie Shell.

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. 31) is **ADOPTED**, **CONFIRMED**, and **APPROVED** with the specified clarification and is made a part of this Order for all purposes, including appellate review.
- 2) The Joint Motion Requesting Approval of Settlement Agreement and Entry of an Order of Dismissal (Dkt. 30) is **GRANTED**. The Settlement Agreement (Dkt. 30, Ex. A) is **APPROVED**, as it represents a fair and reasonable resolution of this case.
- 3) This action is **DISMISSED**, with prejudice.
- 4) The Clerk is directed to terminate any pending motions/deadlines, enter judgment accordingly, and **CLOSE** this case.

**DONE AND ORDERED** at Ft. Myers, Florida, on May 3, 2011.

  
Charlene Edwards Honeywell  
United States District Judge

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