

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ALEXIS SERRANO, on his own behalf
and others similarly situated,

Plaintiff,

vs.

Case No. 2:10-cv-293-FtM-29DNF

GATEWOOD GLASS, INC. a Florida
profit corporation,

Defendant.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #29), filed September 28, 2010, recommending that the Joint Motion for Approval of Proposed Settlement Agreement (Doc. #28) be granted, the Settlement Agreement and Release be approved as fair and reasonable, and the case 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 finds the settlement was fair and reasonable.

Accordingly, it is now


ORDERED:

1. The Report and Recommendation (Doc. #29) is hereby **adopted** and the findings incorporated herein.

2. The Joint Motion for Approval of Proposed Settlement Agreement (Doc. #28) is **granted** and the Settlement Agreement and Release (Doc. #28-1) is **approved** as fair and reasonable.

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

DONE AND ORDERED at Fort Myers, Florida, this 19th day of October, 2010.



JOHN E. STEELE
United States District Judge

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

Counsel of Record
Unrepresented parties