

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

GAUDENIO GARCIA-CELESTINO, et al.,

Plaintiffs,

v.

CASE NO. 2:10-CV-00542-36DNF

RUIZ HARVESTING, INC., et al.,

Defendants.

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**ORDER**

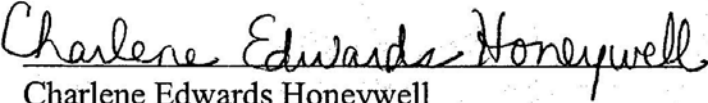
This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Douglas Frazier on December 21, 2011 (Doc. 76). In the Report and Recommendation, Judge Frazier recommends that the Court grant the parties' Joint Motion for Approval of Settlement Agreement, filed on November 30, 2011 (Doc. 69). No party has objected to the Report and Recommendation and the time to do so 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 Plaintiffs Urbano Sanchez-Rodriguez, Leopoldo Trejo-Carillo, Roberto Vasquez Escobar, Israel Ugalde Eguia and Defendants 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**:

1. The Report and Recommendation of the Magistrate Judge (Doc. 76) 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 (Doc. 69) is **GRANTED**. The Settlement Agreement, Full and Final Release and Covenant Not to Sue (Doc. 75) is **APPROVED**, as it constitutes a fair and reasonable resolution of a bona fide dispute.
3. The claims by Plaintiffs Urbano Sanchez-Rodriguez, Leopoldo Trejo-Carillo, Roberto Vasquez Escobar, and Israel Ugalde Eguia against Defendants are **DISMISSED**, with prejudice.
4. The Clerk is directed to enter judgment accordingly and terminate these Plaintiffs from this case.

**DONE AND ORDERED** at Ft. Myers, Florida, on January 6, 2012.

  
Charlene Edwards Honeywell  
United States District Judge

**COPIES TO:**  
COUNSEL OF RECORD