

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

RICKEY PRITCHARD on his own behalf  
and others similarly situated,

Plaintiff,

vs.

Case No. 2:11-cv-22-FtM-29DNF

MERRILL GARDENS, LLC a foreign  
limited liability company,

Defendant.

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**OPINION AND ORDER**

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #32), filed June 30, 2011, recommending that the parties' Joint Motion for Approval of Settlement Agreement, and Upon Court Approval, For Dismissal of the Action *With Prejudice* (Doc. #31) be granted, the settlement be approved, 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 is fair and reasonable.

Accordingly, it is now


**ORDERED:**

1. The Report and Recommendation (Doc. #32) is hereby **adopted** and the findings incorporated herein.

2. The parties' Joint Motion for Approval of Settlement Agreement, and Upon Court Approval, For Dismissal of the Action *With Prejudice* (Doc. #31) is **granted** and the Court finds that the Settlement Agreement and Plaintiff's Full and Final Release of Claims for Unpaid Wages (Doc. #31-1) is fair and reasonable.

3. The Clerk shall enter judgment **dismissing** the case with prejudice, except as otherwise provided by the parties' agreement, terminate all deadlines and motions, and close the file.

**DONE AND ORDERED** at Fort Myers, Florida, this 1st day of August, 2011.

  
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**JOHN E. STEELE**  
United States District Judge

Copies:

Hon. Douglas N. Frazier  
United States Magistrate Judge

Counsel of Record  
Unrepresented parties