

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LISA MAGLIONE-CHENAULT, an
individual

Plaintiff,

v.

Case No: 2:13-cv-811-FtM-38CM

DOUGLAS REALTY &
DEVELOPMENT, INC.,

Defendant.

_____ /

ORDER¹

This matter comes before the Court on United States Magistrate Judge Carol Mirando's Report and Recommendation ([Doc. #58](#)) filed on August 21, 2015. Judge Mirando recommends granting the Parties' Joint Motion to Approve Settlement Agreement ([Doc. #54](#)) and approving the Settlement Agreement ([Doc. #56-1](#); [Doc. #57-1](#))² as a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act. ([Doc. #58](#)). Both Parties waived their opportunity to object to the Report and Recommendation. ([Doc. #54](#)). Thus, this matter is ripe for review.

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

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² As Judge Mirando notes, "[t]he [P]arties' settlement agreement allows for execution in counterparts which shall all be deemed original, but all of which shall constitute one and the same instrument." ([Doc. #58 at 1](#) (citing [Doc. #56-1 at 3](#); [Doc. #57-1 at 3](#))).

recommendation. See 28 U.S.C. § 636(b)(1); see also Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982). 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).

After conducting an independent examination of the file and upon consideration of Judge Mirando's findings and recommendations, the Court accepts the Report and Recommendation (Doc. #58).

Accordingly, it is now **ORDERED**:

1. The Report and Recommendation (Doc. #58) is **ACCEPTED AND ADOPTED** and the findings incorporated herein.

2. The Parties' Joint Motion to Approve Settlement Agreement (Doc. #54) is **GRANTED**, and the Settlement Agreement (Doc. #56-1; Doc. #57-1) is approved as fair and reasonable.

3. The Clerk of Court is **DIRECTED** to enter judgment accordingly, dismiss the case with prejudice, terminate all deadlines and motions, and close the file.

DONE and **ORDERED** in Fort Myers, Florida, this 8th day of September, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record