

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

DAMIAN BAEZ and EDEL DURATE, an
individual,

Plaintiffs,

v.

Case No: 2:13-cv-898-FtM-38CM

A.R.T. PEST CONTROL SERVICES,
INC.,

Defendant.

ORDER¹

This matter comes before the Court on consideration of United States Magistrate Judge Carol Mirando's Report and Recommendation ([Doc. #24](#)) filed on July 31, 2014. Judge Mirando recommends granting the parties' Amended Joint Motion to Approve Settlement ([Doc. #23](#)). ([Doc. #24 at 4](#)). The parties have not objected to the Report and Recommendation, and the time to do so has now expired. 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 recommendation. See [28 U.S.C. § 636\(b\)\(1\)](#); see also [Williams v. Wainwright](#),

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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 Judge Mirando's findings and recommendations, the Court accepts the Report and Recommendation (Doc. #24).

Accordingly, it is now **ORDERED**:

1. The Report and Recommendation (Doc. #24) is hereby adopted and the findings incorporated herein.

2. The parties' Amended Joint Motion to Approve Settlement (Doc. #23) is **GRANTED**, and the terms of the parties' settlement agreement, as memorialized in the Amended Motion (Doc. #23) is approved as a fair and reasonable resolution of this case.

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

DONE and **ORDERED** in Fort Myers, Florida this 15th day of August, 2014.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record