

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

RAMON SALAZAR VASQUEZ,
PORFIRIO AGUILAR FABIAN,
ERNESTO AGUILAR BOCANEGRA,
MACODONIO AMBROCIO MATIAS,
FILIBERTO BAUTISTA, JOSUE
CARRILLO ORTIZ, AGUSTIN
CRISTEN TEJEDA, LUIS ALBERTO
CRUZ VASQUEZ, PEDRO CRUZ
VASQUEZ, JOSE ALBERTO GARCIA
RODRIGUEZ, ESTEBAN GONZALEZ
MARQUES, GUSTAVO GONZALEZ
MARTINEZ, FERNANDO GONZALEZ
PEREZ, ISAAC GONZALEZ TREJO,
FELICIANO LOPEZ CRUZ, MIGUEL
MACIAS DELUNA, RENE MARTINEZ
MARTINEZ, ANTONIO MENDEZ
GARCIA, MARCOS MARQUEZ MAR,
BONIFACIO MARQUEZ MARQUEZ,
ROBERTO CARLOS MARQUEZ,
CLAUDIO SERAFIN MARTINEZ,
GIOVANNI SERAFIN MARTINEZ,
FRANCISCO OSARIO DEL ANGEL,
SAUL PEREZ MENDEZ, FRANCISCO
BRUNO PERIANEZ, JOSE RAMOS
RAMOS, CANDIDO RAMIREZ
ORTEGA, FELIPE REYES
SALVADOR, BERTIN ROJAS
LOPEZ, MELITON SALAZAR
RODRIGUEZ, UZIEL SANTIAGO
MARTINEZ, JAVIER VASQUEZ
HERNANDEZ, and RICARDO VITE
XOTIHUA,

Plaintiffs,

v.

Case No: 2:14-cv-161-FtM-29CM

P & L HARVESTING, LLC,

Defendant.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #47), filed July 13, 2015, recommending that the Joint Amended Motion for Approval of Amended Settlement Agreement and Release and for Dismissal With Prejudice (Doc. #46) be granted, the request to retain jurisdiction be denied, and the case be dismissed with prejudice. 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 that the settlement was a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act. The Court further agrees that the undersigned need not retain jurisdiction over the enforcement of the Amended Settlement Agreement and Release of Claims.

Accordingly, it is now

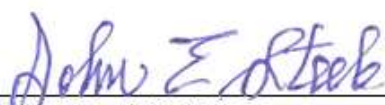
ORDERED:

1. The Report and Recommendation (Doc. #47) is hereby **adopted** and the findings **incorporated** herein.

2. The parties' Joint Amended Motion for Approval of Amended Settlement Agreement and Release and for Dismissal With Prejudice (Doc. #46) is **granted**, with the exception of the request on page 3 for the Court to retain jurisdiction, and the Amended Settlement Agreement and Release of Claims (Doc. #46, p. 9) is approved as a fair and reasonable resolution of a bona fide dispute.

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

DONE and ORDERED at Fort Myers, Florida, this 3rd day of August, 2015.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:

Hon. Carol Mirando
United States Magistrate Judge

Counsel of Record
Unrepresented parties