

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

PEDRO CERRITOS, on his own behalf
and others similarly situated

Plaintiff,

v.

Case No: 2:14-cv-342-FtM-38MRM

PERFORMANCE PLUMBING OF
SOUTHWEST FLORIDA, INC.,
LARRY LANGLEY and RANDAL
LANGLEY,

Defendants.

ORDER¹

This matter comes before the Court on United States Magistrate Judge Mac R. McCoy's Report and Recommendation ([Doc. #67](#)) filed on January 28, 2016. Judge McCoy recommends granting the parties' Joint Motion for Approval of Settlement and Dismissal of Action with Prejudice ([Doc. #66](#)) and approving the Settlement Agreements (Docs. #66-1, #66-2) as fair and reasonable resolutions of bona fide disputes under the Fair Labor Standards Act. ([Doc. #67](#)). The parties filed a Joint Notice alerting the Court that there are no objections to the Report. ([Doc. #68](#)). The 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

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report and 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 McCoy's findings and recommendations, the Court accepts the Report and Recommendation (Doc. #67).

Accordingly, it is now

ORDERED:

1. The Report and Recommendation (Doc. #67) is **ACCEPTED AND ADOPTED** and the findings incorporated herein.
2. The parties' Joint Motion for Approval of Settlement and Dismissal of Action with Prejudice (Doc. #66) is **GRANTED**, and the Settlement Agreements (Docs. #66-1, 66-2) are **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 19th day of February, 2016.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record