

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

RICARDO HERNANDEZ,

Plaintiff,

v.

Case No: 2:14-cv-731-FtM-29CM

ALLIED RECYCLING, INC., a
Florida profit corporation,

Defendant.

OPINION AND ORDER

On September 22, 2015, the Court referred the case to Magistrate Judge Mac R. McCoy to conduct a settlement conference. (Doc. #24.) On October 27, 2015, Magistrate Judge Mac R. McCoy conducted the Settlement Conference and successfully assisted the parties in reaching an agreement. On November 5, 2015, Judge McCoy issued a Report and Recommendation (Doc. #31) recommending that the parties' Joint Motion for Approval of Settlement Agreement, and Upon Court Approval, for Dismissal of the Action With Prejudice (Doc. #30) be granted, the Settlement Agreement and General Release (Doc. #30-1) be approved, and the case dismissed. On the same day, the parties filed a Joint Notice of Non-Opposition to Report and Recommendation (Doc. #32) indicating no objection.

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.

Accordingly, it is now

ORDERED:

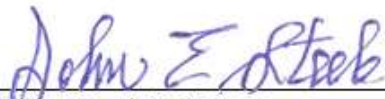
1. The Report and Recommendation (Doc. #31) is hereby **adopted** and the findings **incorporated** herein.

2. The parties' Joint Motion for Approval of Settlement Agreement, and Upon Court Approval, for Dismissal of the Action

With Prejudice (Doc. #30) is **granted** and the Settlement Agreement and General Release (Doc. #30-1) 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 5th day of November, 2015.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Hon. Mac R. McCoy
United States Magistrate Judge

Counsel of Record
Unrepresented parties