

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

PAUL PLUMMER and NICHOLAS
WHITE, on behalf of themselves and
those similarly situated

Plaintiffs,

v.

Case No: 2:15-cv-37-FtM-38CM

PJCF, LLC,

Defendant.

_____ /

ORDER¹

This matter comes before the Court on United States Magistrate Judge Carol Mirando's Report and Recommendation ([Doc. #46](#)) filed on October 8, 2015. Judge Mirando recommends granting the parties' Amended Joint Motion for Approval of Settlement ([Doc. #45](#)) and approving the Settlement Agreement and Release of All Claims ([Doc. #45-1](#)) as a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act, [29 U.S.C. § 201](#) *et seq.* ([Doc. #46](#)). The parties do not object to the Report and Recommendation. ([Doc. #47](#)). 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 \(11th Cir. 1982\)](#). 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 independently examining the file and upon considering Judge Miranda's findings and recommendations, the Court accepts the Report and Recommendation ([Doc. #46](#)).

Accordingly, it is now


ORDERED:

1. The Report and Recommendation ([Doc. #46](#)) is **ACCEPTED AND ADOPTED** and the findings incorporated herein.

2. The parties' Amended Joint Motion for Approval of Settlement ([Doc. #45](#)) is **GRANTED** and the Settlement Agreement and Release of All Claims ([Doc. #45-1](#); [Doc. #45-2](#)) is approved as a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act.

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 13th day of October, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record