

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MARIO ROSAS RODRIGUEZ, for
himself and on behalf of those similarly
situated

Plaintiff,

v.

Case No: 2:15-cv-106-FtM-38MRM

TCB NAPLES LLC,

Defendant.

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ORDER¹

This matter comes before the Court on the Report and Recommendation of Magistrate Judge Carol Mirando ([Doc. #29](#)) filed on October 26, 2015. Judge Mirando recommends granting the parties' Joint Motion to Approve Settlement Agreement and Stipulation for Dismissal with Prejudice ([Doc. #28](#)) as a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act. The Parties do not object to the Report and Recommendation. This matter is ripe for the Court's 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](#), 681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no

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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 Mirando's findings and recommendations, the Court accepts the Report and Recommendation ([Doc. #29](#)).

Accordingly, it is now


ORDERED:

The Report and Recommendation of Magistrate Judge Carol Mirando approving the Settlement Agreement of the Fair Labor Standards Act (FLSA) claim ([Doc. #29](#)) is **ACCEPTED and ADOPTED**.

1. The parties' Joint Motion to Approve Settlement Agreement and Stipulation for Dismissal with Prejudice ([Doc. #28](#)) is **GRANTED**, and the Settlement Agreement is approved as fair and reasonable.

2. 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 28th day of October, 2015.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record