

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

STEPHANIE ROBERTS, on  
behalf of herself and  
others similarly situated,

Plaintiff,

v.

Case No: 2:15-cv-144-FtM-29MRM

DOWNTOWN JERRY'S, LLC, a  
Florida limited liability  
company and ARNOLD TRAVINO,  
an individual,

Defendants.

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**OPINION AND ORDER**

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #43), filed January 26, 2016, recommending that the parties' Joint Motion to Approve Settlement Agreement and to Dismiss with Prejudice (Doc. #42) be granted and that the Settlement Agreement and Final Release of Claims (Doc. #42-1) be approved as a fair and reasonable resolution of a bona fide dispute. 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.

Accordingly, it is now

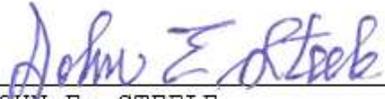
**ORDERED:**

1. The Report and Recommendation (Doc. #43) is hereby **adopted** and the findings **incorporated** herein.

2. The parties' Joint Motion to Approve Settlement Agreement and to Dismiss with Prejudice (Doc. #42) is **granted** and the Settlement Agreement and Final Release of Claims (Doc. #42-1) 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 16th day  
of February, 2016.

  
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JOHN E. STEELE  
SENIOR UNITED STATES DISTRICT JUDGE

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

Counsel of Record  
Unrepresented parties