

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MICHELE DIROCCO, an individual, and
on behalf of all other similarly situated
individuals

Plaintiff,

v.

Case No: 2:15-cv-552-FtM-38CM

VICTORY MARKETING AGENCY,
LLC and VINCENT ANTONIO,

Defendants.

OPINION AND ORDER¹

This matter comes before the Court on review of United States Magistrate Judge Carol Mirando's Report and Recommendation filed April 25, 2017 ([Doc. 29](#)) recommending granting the parties' Joint Motion to Approve FLSA Settlement and for Dismissal with Prejudice ([Doc. 27](#)), as well as approving the Settlement Agreement ([Doc. 27-1](#)) as a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act. ([Doc. 29 at 5](#)). 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

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

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

Accordingly, it is now

ORDERED:

1. United States Magistrate Judge Carol Mirando's Report and Recommendation (Doc. 29) is **ACCEPTED and ADOPTED**.
2. The parties' Joint Motion to Approve FLSA Settlement and for Dismissal with Prejudice (Doc. 27) is **GRANTED**, and the Settlement Agreement (Doc. 27-1) is 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 25th day of May, 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record