

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

PAUL BARNES,

Plaintiff,

v.

Case No: 2:16-cv-174-FtM-38CM

LANE VALENTE INDUSTRIES, INC.,

Defendant.

ORDER¹

This matter comes before the Court on United States Magistrate Judge Carol Mirando's Report and Recommendation filed on October 13, 2016. ([Doc. #26](#)). Judge Mirando recommends granting the parties' Joint Motion for Settlement Agreement Approval ([Doc. #25](#)) and approving their Settlement Agreement ([Doc. #25-1](#)) as a fair and reasonable resolution of a bona fide dispute under the Fair Labor Standards Act, [29 U.S.C. § 201](#) *et seq.* The parties have filed a Joint Notice of Non-Objection to the Report and Recommendation. ([Doc. #27](#)). Thus, the Report and Recommendation 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, 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 examining the file carefully and independently, and upon considering Judge Mirando's findings and recommendations, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now

ORDERED:

1. United States Magistrate Judge Carol Mirando's Report and Recommendation (Doc. #26) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
2. The parties' Joint Motion for Settlement Agreement Approval (Doc. #25) is **GRANTED** and the Settlement Agreement (Doc. #25-1) is approved as a fair and reasonable resolution of this FLSA dispute.
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 18th day of October, 2016.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record