

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

RICHARD DENONCOUR, an
individual,

Plaintiff,

v.

Case No: 2:16-cv-205-FtM-99MRM

BARRETT'S OF S.W. FLORIDA,
INC., a Florida corporation
and JOEL L. BARRETT, an
individual,

Defendants.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #34), filed April 17, 2017, recommending that the parties' Joint Motion to Approve Settlement and to Dismiss With Prejudice (Doc. #32) be granted, the Wage and Hour Settlement Agreement (Doc. #32-1) be approved, and the case dismissed with prejudice. On April 18, 2017, the parties filed a Joint Notice of Non-Objection to Magistrate's Report & Recommendation (Doc. #35) indicating no objections to the Report and Recommendation.

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). 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

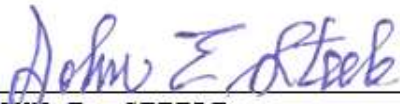
ORDERED:

1. The Report and Recommendation (Doc. #34) is hereby **adopted** and the findings **incorporated** herein.

2. The parties' Joint Motion to Approve Settlement and to Dismiss With Prejudice (Doc. #32) is **granted** and the Wage and Hour Settlement Agreement (Doc. #32-1) 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 19th day of April, 2017.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

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

Counsel of Record
Unrepresented parties