

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

LYNN HERRERA, on behalf of  
themselves and those  
similarly situated and  
MARGARET RABER, on behalf of  
themselves and those  
similarly situated,

Plaintiffs,

v.

Case No: 2:16-cv-795-FtM-99MRM

R & L CARRIERS, INC., an Ohio  
corporation, PARAMOUNT  
TRANSPORTATION LOGISTICS  
SERVICES, LLC, a Florida  
corporation, and AFC  
WORLDWIDE EXPRESS, INC., a  
Georgia corporation,

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. #68), filed August 31, 2017, recommending that the parties' Joint Motion for Approval of Settlement (Doc. #66) be granted, that the settlements be approved, and the case dismissed without the Court retaining jurisdiction. On September 5, 2017, the parties filed a Joint Notice of Non-Objection to Report and Recommendation (Doc. #69) indicating that no objections would be filed.

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. The undersigned is not inclined to retain jurisdiction over enforcement of the settlements, and therefore the Court agrees that approval be granted with the exception that jurisdiction will not be retained over enforcement of the settlements.

Accordingly, it is now

**ORDERED:**

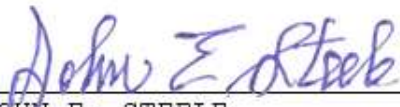
1. The Report and Recommendation (Doc. #68) is hereby **adopted** and the findings **incorporated** herein.

2. The parties' Joint Motion for Approval of Settlement (Doc. #66) is **granted**, and the Receipts and Releases (Docs. ## 66-1, 66-2) are approved as a fair and reasonable resolution of a bona fide dispute however the Court declines to retain jurisdiction over enforcement.

3. The Clerk shall enter judgment **dismissing** the case with prejudice, and the Court will not retain jurisdiction over the case.

4. The Clerk is further directed to terminate all deadlines and motions, and close the file.

**DONE and ORDERED** at Fort Myers, Florida, this 6th day of September, 2017.

  
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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