

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

VANESSA PRADA, KRISTY
LOCKWOOD, DEMETRIC GREEN and
JIMMY WALKER,

Plaintiffs,

v.

Case No: 2:16-cv-850-FtM-38CM

DCS ENTERPRISES, INC., DAVID
STEWART and SUE STEWART,

Defendants.

OPINION AND ORDER¹

This matter comes before the Court on United States Magistrate Judge Carol Mirando's Report and Recommendation. ([Doc. 51](#)). Judge Mirando recommends granting the Joint Motion for Approval of Settlements and Dismissal with Prejudice ([Doc. 50](#)) filed by Plaintiffs Kristy Lockwood and Demetric Green and Defendants DCS Enterprises, Inc., David Stewart, and Sue Stewart.² The recommendation also includes approving the Settlement Agreements ([Doc. 50-1](#); [Doc. 50-2](#)) as a fair and reasonable

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² Plaintiffs Jimmy Walker and Vanessa Prada are proceeding *pro se* and did not join in this motion. ([Doc. 50 at 1](#) n.1).

resolution of a bona fide dispute under the Fair Labor Standards Act. Because the parties do not object to the Report and Recommendation ([Doc. 53](#)), this matter is ripe for review.

A district judge “may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge.” [28 U.S.C. § 636\(b\)\(1\)](#). The district judge “shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” *Id.* And “[t]he judge may also receive further evidence or recommit the matter to the magistrate judge with instructions.” *Id.*


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) The Report and Recommendation ([Doc. 51](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
- (2) The Joint Motion for Approval of Settlements and Dismissal with Prejudice ([Doc. 50](#)) is **GRANTED** and the Settlement Agreements ([Doc. 50-1](#); [Doc. 50-2](#)) are **APPROVED** as a fair and reasonable resolution of the bona fide FLSA dispute.
- (3) The Court **DISMISSES with prejudice** all claims asserted by Plaintiffs Kristy Lockwood and Demetric Green.
- (4) The Clerk of Court is **DIRECTED** to enter judgment accordingly and terminate Plaintiffs Kristy Lockwood and Demetric Green from the case file.

DONE and **ORDERED** in Fort Myers, Florida this 1st day of September 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record