

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MARK LOSEY, individually and
on behalf of all others
similarly situated, SUSAN
NELSON, individually and on
behalf of all others
similarly situated, and GARY
DICKSON, individually and on
behalf of all others
similarly situated,

Plaintiffs,

v.

Case No: 2:17-cv-29-FtM-99CM

BB LOCKSMITH, INC.,

Defendant.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #30), filed July 14, 2017, recommending that that the Joint Motion to Approve Settlement and to Dismiss Action With Prejudice (Doc. #29) be granted, the settlement approved, and the case dismissed. No objections have been filed and the time to do so has expired.

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).

The settlement agreement relates only to the claims of Gary Dickson against defendant. Plaintiffs Mark Losey and Susan Nelson's claims were settled without compromise, and their claims are being dismissed by separate order. 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. #30) is hereby **adopted** and the findings **incorporated** herein.

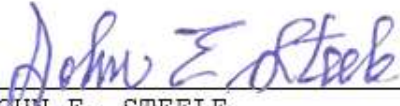
2. The parties' Joint Motion to Approve Settlement and to Dismiss Action With Prejudice (Doc. #29) is **granted** and the Settlement Agreement and Mutual Release (Doc. #29, p. 6) is

approved as a fair and reasonable resolution of a bona fide dispute.

3. The Clerk shall enter judgment **dismissing** the claims of Gary Dickson with prejudice.

4. Finding no issues remaining to be tried, the Clerk shall terminate all deadlines and motions, and close the file.

DONE and ORDERED at Fort Myers, Florida, this 2nd day of August, 2017.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

Copies:
Hon. Carol Mirando
United States Magistrate Judge

Counsel of Record
Unrepresented parties