

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MARIA KLEEKLAMP, on behalf of
herself and others similarly situated

Plaintiff,

v.

Case No: 2:17-cv-660-FtM-38MRM

HOME PERFORMANCE ALLIANCE,
INC.,

Defendant.

_____ /

ORDER¹

This matter comes before the Court on United States Magistrate Judge Mac R. McCoy's Report and Recommendation ([Doc. 29](#)) on the parties' Joint Motion to Approve Settlement ([Doc. 28](#)). Judge McCoy recommends that the Court accept the parties' settlement as a fair and reasonable resolution of the dispute. Because the parties agree to waive the fourteen-day objection period ([Doc. 30](#)), 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](#), [681 F.2d 732 \(11th Cir. 1982\)](#). Absent specific objections, there is no requirement that a

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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 absent an objection. See [Cooper-Houston v. Southern Ry. Co.](#), 37 F.3d 603, 604 (11th Cir. 1994).

After independently examining the file and on consideration of Judge McCoy's findings and recommendation, the Court accepts the Report and Recommendation.

Accordingly, it is now

ORDERED:

1. The Report and Recommendation ([Doc. 29](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
2. The Joint Motion to Approve Settlement ([Doc. 28](#)) is **GRANTED**. The Settlement Agreement and Release is approved as a fair and reasonable resolution of the *bona fide* dispute.
3. The action is **DISMISSED with prejudice**.
4. The Clerk of Court is **DIRECTED** to enter judgment, dismiss the case with prejudice, terminate all pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 13th day of June 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record