

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

AARON EDGERTON, on behalf of
himself and others similarly
situated,

Plaintiff,

v.

Case No: 2:17-cv-661-FtM-29MRM

ADVANCED DISPOSAL SERVICES,
INC., a Florida corporation,

Defendant.

OPINION AND ORDER

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #22), filed March 2, 2018, recommending that the parties' Joint Motion to Approve the Parties' Settlement (Doc. #21) be granted, the settlement be approved, plaintiff and opt-in plaintiff be directed to reimburse costs and fees, and the case be 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).

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. Plaintiffs were permitted to proceed without prepayment of costs of service and the filing fee with the understanding that, if they prevailed, plaintiffs would be required to reimburse the advancement of fees and costs. (Doc. #6.)

Accordingly, it is now

ORDERED:

1. The Report and Recommendation (Doc. #22) is hereby **adopted** and the findings **incorporated** herein.

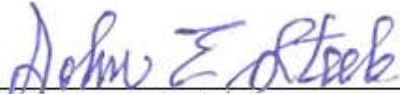
2. The parties' Joint Motion to Approve the Parties' Settlement (Doc. #21) is **granted** and the Settlement Agreement (Doc. #21-1) is approved as a fair and reasonable resolution of a bona fide dispute.

3. Plaintiffs shall reimburse the Clerk of Court for the filing fee (\$400) and the United States Marshal's Office for

service of process (Doc. #13, \$84.99) within **THIRTY (30) DAYS** of this Opinion and Order. Upon compliance, counsel file a notice indicating that costs and fees have been reimbursed.

4. 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 20th day of March, 2018.



JOHN E. STEELE
SENIOR UNITED STATES DISTRICT JUDGE

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

Counsel of Record
Unrepresented parties