

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JAMES C. SIMPSON, SR.,

Plaintiff,

v.

Case No: 2:22-cv-94-JES-NPM

WASTE PRO OF FLORIDA, INC.,

Defendant.

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**OPINION AND ORDER**

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #23), filed November 14, 2022, recommending that the settlement appears to be fair, adequate, and a reasonable resolution of a bona fide dispute between the parties. 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.

Accordingly, it is now

**ORDERED:**

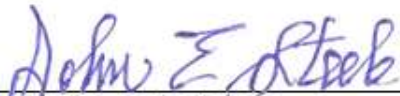
1. The Report and Recommendation (Doc. #23) is hereby **adopted**, and the findings **incorporated** herein.

2. The parties' Joint Brief in Support of Approval of Settlement (Doc. #22) is **granted**, and the Settlement Agreement and Release (Doc. #22-1) is approved as a fair and reasonable resolution of a bona fide dispute.

3. The Clerk shall enter judgment **dismissing** the case with prejudice, terminate all deadlines and motions, and close the file.

4. Counsel shall file a motion for attorney fees that complies with Local Rule 7.01(b) within **FOURTEEN (14) DAYS** of the entry of judgment.

**DONE and ORDERED** at Fort Myers, Florida, this 1st day of December 2022.

  
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JOHN E. STEELE  
SENIOR UNITED STATES DISTRICT JUDGE

Copies:  
Hon. Nicholas P. Mizell  
United States Magistrate Judge

Counsel of Record  
Unrepresented parties