

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

WEBIMAX, LLC,

Plaintiff,

vs.

Case No. 3:11-cv-993-J-34JBT

DANIEL JOHNSON,

Defendant.

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ORDER

THIS CAUSE is before the Court on Magistrate Judge Joel B. Toomey's Report and Recommendation (Dkt. No. 68; Report), entered on January 11, 2013. In the Report, Magistrate Judge Toomey recommends that Plaintiff's Motion to Enforce Confidential Settlement Agreement and Incorporated Memorandum of Law (Dkt. No. 65) be granted and that the Court enter an order declaring the settlement agreement to be valid and enforceable. See Report at 14. No objections to the Report have been filed, and the time for doing so has now passed.

The Court "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). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994);

United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).

Upon independent review of the file and for the reasons stated in the Magistrate Judge's Report, the Court will accept and adopt the legal and factual conclusions recommended by the Magistrate Judge. Accordingly, it is hereby

ORDERED:

1. The Magistrate Judge's Report and Recommendation (Dkt. No. 68) is **ADOPTED** as the opinion of the Court.

2. Plaintiff's Motion to Enforce Confidential Settlement Agreement and Incorporated Memorandum of Law (Dkt. No. 65) is **GRANTED**.

3. The Confidential Settlement Agreement entered into by the parties is valid and enforceable.

4. Pursuant to Paragraph 8 of the Confidential Settlement Agreement, this action is **DISMISSED**, with each party bearing its own attorneys' fees and costs.


5. The Injunction (Dkt. No. 17) entered on December 7, 2011, is **DISSOLVED**.

6. The Injunction Bond (Dkt. No. 19) filed in this action on December 9, 2011, is **DISCHARGED**, and the Clerk of the Court is directed to return the original bond to counsel for Plaintiff.

7. Webimax, LLC and SureTec Insurance Company are released from the obligations of the Injunction Bond.

8. The Clerk of the Court is directed to close the file.

DONE AND ORDERED in Jacksonville, Florida, this 8th day of February, 2013.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

The Honorable Joel B. Toomey
United States Magistrate Judge

Counsel of Record

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