

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

LASZEO BODNAR,
and all others similarly situated,

Plaintiff,

vs.

Case No. 3:13-cv-709-J-34JRK

GOURMET HUT, INC., a Florida
Corporation, and WENDY RELPH,
individually,

Defendants.

ORDER AND STIPULATED FINAL JUDGMENT

THIS CAUSE is before the Court on Magistrate Judge James R. Klindt's Report and Recommendation (Dkt. No. 22; Report), entered on December 4, 2013, recommending that the Joint Motion for Approval of Settlement and Dismissal With Prejudice (Dkt. No. 21; Motion) be granted to the extent that the Court enter an Order and Stipulated Final Judgment approving the parties' Settlement Agreement, and that this case be dismissed with prejudice. See Report at 4-5. 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).


The Court has conducted an independent examination of the record in this case and a de novo review of the legal conclusions. Plaintiff filed suit against Defendants pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (FLSA), seeking recovery of unpaid overtime. See Amended Complaint (Dkt. No. 5). Thereafter, the parties engaged in settlement negotiations, which resulted in a resolution of the issues and claims raised in this case. See Motion (Dkt. No. 21). Upon review of the record, including the Report, Motion, and Settlement Agreement, the undersigned concludes that the settlement represents a “reasonable and fair” resolution of Plaintiff’s FLSA claims. Accordingly, the Court will accept and adopt Judge Klindt’s Report.

In light of the foregoing, it is hereby **ORDERED**:

1. Magistrate Judge James R. Klindt’s Report and Recommendation (Dkt. No. 22) is **ADOPTED** as the opinion of the Court.
2. The Joint Motion for Approval of Settlement and Dismissal With Prejudice (Dkt. No. 21) is **GRANTED** to the extent that the Settlement Agreement is **APPROVED**.
3. This case is **DISMISSED WITH PREJUDICE**.

4. The Clerk of the Court is directed to terminate any pending motions or deadlines as moot and close this file.

DONE AND ORDERED in Jacksonville, Florida, this 25th day of February, 2014.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record