

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

PATRICIA O'NEILL, on her own behalf and
others similarly situated,

Plaintiff,

vs.

Case No. 3:15-cv-126-J-34JRK

SOUTHERN WRECKER AND
RECOVERY, LLC and GREG GAYLORD,

Defendants.

ORDER AND STIPULATED FINAL JUDGMENT

THIS CAUSE is before the Court on Magistrate Judge James R. Klindt's Report and Recommendation (Dkt. No. 20; Report), entered on October 1, 2015, recommending that the Joint Motion for Approval of Settlement Agreement and to Dismiss Lawsuit With Prejudice (Dkt. No. 17; Motion), as supplement by the Joint Motion for Approval of Settlement Agreement (Dkt. No. 19; Supplemental Motion) be granted to the extent that the Court enter an Order and Stipulated Final Judgment approving the parties' Amended Settlement Agreement and that this case be dismissed with prejudice. See Report at 4-5. None of the parties have filed an objection to the Report, 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 overtime compensation and unpaid wages. See Complaint (Dkt. No. 1). 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. 17); Supplemental Motion (Dkt. No. 19). Upon review of the record, including the Report, Motion, Supplemental Motion and Amended 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. 20) is **ADOPTED** as the opinion of the Court.
2. The Joint Motion for Approval of Settlement Agreement and to Dismiss Lawsuit With Prejudice (Dkt. No. 17), as supplement by the Joint Motion for Approval of Settlement Agreement (Dkt. No. 19) are **GRANTED**.
3. For purposes of satisfying the FLSA, the Amended Settlement Agreement (Dkt. No. 19-1) is **APPROVED**.

4. This case is **DISMISSED WITH PREJUDICE**.

5. 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 27th day of October, 2015.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record