

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

JACQUELYN STEWART, Individually and
on Behalf of All Others Similarly Situated
Who Consent to Their Inclusion in a
Collective Action,

Plaintiff,

v.

Case No. 3:15-cv-921-J-34JRK

ENHANCED RECOVERY COMPANY,
LLC, a Foreign Limited Liability
Corporation,

Defendant.

ORDER AND STIPULATED FINAL JUDGMENT

THIS CAUSE is before the Court on Magistrate Judge James R. Klindt's Report and Recommendation (Dkt. No. 23; Report), entered on February 5, 2016, recommending that the Joint Motion for Approval of Settlement and Request for 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 Agreements, and that this case be dismissed with prejudice. See Report at 6. On February 23, 2016, the parties filed a notice advising the Court that they do not have any objection to the Report. See Joint Notice of "No Objection" to Report and Recommendation (Dkt. No. 24; Notice).

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 Defendant pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (FLSA), seeking recovery of unpaid overtime compensation. 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. 21). Upon review of the record, including the Report, Motion, and Settlement Agreements, 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. 23) is **ADOPTED** as the opinion of the Court.

2. The Joint Motion for Approval of Settlement and Request for Dismissal with Prejudice (Dkt. No. 21) is **GRANTED** to the extent the Court enters this Order and Stipulated Final Judgment.

3. For purposes of satisfying the FLSA, the Settlement Agreements are **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 24th day of February, 2016.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record