

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

CYNTHIA M. GIBSON,

Plaintiff,

vs.

Case No. 3:16-cv-232-J-34JRK

M.T. PRODUCTIONS IN JACKSONVILLE, INC.,  
d/b/a Thee Officers Club,

Defendant.

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**ORDER AND STIPULATED FINAL JUDGMENT**

**THIS CAUSE** is before the Court on Magistrate Judge James R. Klindt's Report and Recommendation (Dkt. No. 32; Report), entered on October 27, 2016, recommending that the Joint Motion for Approval of Settlement (Dkt. No. 31; 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. On November 1, 2016, the parties filed a notice advising the Court that they do not have any objection to the Report. See Joint Stipulation of Non-Objection to Court's Report and Recommendation Dated October 27, 2016 (Dkt. No. 33; Stipulation).

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

nov. 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 Amended Complaint (Dkt. No. 24). 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. 31). 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. 32) is **ADOPTED** as the opinion of the Court.
2. The Joint Motion for Approval of Settlement (Dkt. No. 31) is **GRANTED** to the extent the Court enters this Order and Stipulated Final Judgment.
3. For purposes of satisfying the FLSA, the settlement agreement 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 3rd day of November, 2016.

  
MARCIA MORALES HOWARD  
United States District Judge

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Copies to:

Counsel of Record