

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION

AUBREY WALKER,

Plaintiff,

vs.

Case No. 3:16-cv-1195-J-34PDB

LAZER SPOT, INC.,

Defendant.

ORDER

THIS CAUSE is before the Court on Magistrate Judge Patricia D. Barksdale's Report and Recommendation (Dkt. No. 28; Report), entered on August 25, 2017, recommending that the Joint Motion to Approve Settlement and Dismiss Plaintiff's Claims, and Incorporated Memorandum of Law (Dkt. No. 27; Motion) be granted, that the Court approve the parties' settlement, and that this case be dismissed with prejudice. See Report at 9. Neither party has filed an objection to the Report, and the time for doing so has 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 Defendant pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (FLSA), seeking recovery of unpaid overtime 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. 27). Upon review of the record, including the Report, Motion, and Wage & Hour Settlement and Release 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 Barksdale's Report.

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

1. Magistrate Judge Patricia D. Barksdale’s Report and Recommendation (Dkt. No. 28) is **ADOPTED** as the opinion of the Court.
2. The Joint Motion to Approve Settlement and Dismiss Plaintiff's Claims, and Incorporated Memorandum of Law (Dkt. No. 27) is **GRANTED**.
3. For purposes of satisfying the FLSA, the Wage & Hour Settlement and Release Agreement (Dkt. No. 27-1) 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 2nd day of October, 2017.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record