

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

RONALD BURKETT, on behalf of himself
and those similarly situated,

Plaintiff,

v.

Case No. 3:19-cv-563-J-34PDB

HICKORY FOODS, INC.,

Defendant.

ORDER

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 18; Report) entered by the Honorable Patricia D. Barksdale, United States Magistrate Judge, on October 7, 2019. In the Report, Judge Barksdale recommends that the Joint Motion for Approval of Settlement of Plaintiff's FLSA Claims and Incorporated Memorandum of Law (Dkt. No. 17; Motion) be granted, that the Settlement Agreement be approved, and that the case be dismissed with prejudice. See Report at 9. The parties have no objections to the Report and Recommendation. See Joint Notice of Non-Objection (Dkt. No. 19).

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 for unpaid overtime wages pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (FLSA). See Collective Action Complaint and Demand for Jury Trial (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). 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 claims. Accordingly, the Court will accept and adopt Judge Barksdale’s Report.

In light of the foregoing, it is hereby

ORDERED:

1. The Report and Recommendation (Dkt. No. 18) is **ADOPTED** as the opinion of the Court.
2. The Joint Motion for Approval of Settlement of Plaintiff’s FLSA Claims and Incorporated Memorandum of Law (Dkt. No. 17) is **GRANTED**.
3. For purposes of satisfying the FLSA, the Settlement Agreement (Dkt. No. 17-1) 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 8th day of October, 2019.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record