

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

CHIQUITA POLITE,

Plaintiff,

v.

Case No. 3:20-cv-1181-MMH-JRK

VPLACE PARTNERS, LLC, a
Florida Limited Liability Company,

Defendant.

ORDER AND STIPULATED FINAL JUDGMENT

THIS CAUSE is before the Court on the Report and Recommendation (Dkt. No. 22; Report) entered by the Honorable James R. Klindt, United States Magistrate Judge, on October 26, 2021. In the Report, Judge Klindt recommends that the Joint Motion to Approve Settlement Agreement and Stipulation of 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 agreement and that the case be dismissed with prejudice. See Report at 6. Neither party objects to the Report. See Joint Notice of Non-Objection (Dkt. No. 23).

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 overtime wage violations pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201, et seq. (FLSA). See 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. 21). Upon review of the record, including the Report, Motion, and Settlement Agreement (Dkt. No. 21-1), the undersigned concludes that the settlement represents a “reasonable and fair” resolution of Plaintiff’s claims. Accordingly, the Court will accept and adopt Judge Klindt’s Report.

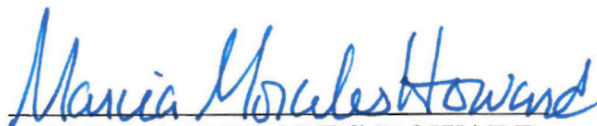
In light of the foregoing, it is hereby

ORDERED:

1. The Report and Recommendation (Dkt. No. 22) is **ADOPTED** as the opinion of the Court.

2. The Joint Motion to Approve Settlement Agreement and Stipulation of Dismissal with Prejudice (Dkt. No. 21) is **GRANTED** to the extent that the Court enters this Order and Stipulated Final Judgment.
3. For purposes of satisfying the FLSA, the Settlement Agreement (Dkt. No. 21-1) 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 1st day of November, 2021.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record