

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

JORGE QUIROS, FRANCISCO ARRIETA,  
GABRIEL A. PEREZ-SANTANA, and  
ANGEL E. PEREZ-SANTANA,

Plaintiffs,

vs.

Case No. 5:11-cv-83-J-34MCR

GCA SERVICES GROUP, INC., a foreign  
corporation,

Defendant.

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**ORDER**

**THIS CAUSE** is before the Court on Magistrate Judge Monte C. Richardson's Report and Recommendation (Dkt. No. 65; Report), entered on July 7, 2011, recommending that the parties' Joint Motion to Approve Settlement (Dkt. No. 56) be granted, the settlement agreements be approved, and the case be dismissed with prejudice. See Report at 6. Neither party has filed an objection to the Report, and the time for doing so has now 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. Plaintiffs filed suit against Defendant pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (FLSA), seeking recovery of unpaid overtime. See Second Amended Complaint and Demand for Jury Trial (Dkt. No. 52). Thereafter, the parties engaged in settlement negotiations, which resulted in a resolution of the issues and claims raised in this case. See Joint Motion to Approve Settlement (Dkt. No. 56). Upon review of the record, including the Report, Joint Motion to Approve Settlement, and the Settlement Agreements, the undersigned concludes that the settlement represents a “reasonable and fair” resolution of Plaintiffs’ FLSA claims.<sup>1</sup> Accordingly, the Court will accept and adopt the recommended resolution set forth in Judge Richardson’s Report.

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


1. The recommended resolution set forth in Magistrate Judge Monte C. Richardson’s Report and Recommendation (Dkt. No. 65) is **ADOPTED**.
2. The Joint Motion to Approve Settlement (Dkt. No. 56) is **GRANTED**.
3. For purposes of satisfying the FLSA, the Settlement Agreements are **APPROVED**.
4. This case is **DISMISSED WITH PREJUDICE**.

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<sup>1</sup> The Court finds, under the circumstances of this case, that the settlement is fair and reasonable. In so doing, the Court declines to adopt the framework set forth in Bonetti v. Embarq Mgmt. Co., 715 F.Supp.2d1222 (M.D. Fla. 2009) to the extent it suggests that this Court “will” approve a particular settlement without separately considering the reasonableness of the attorney’s fees.

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 Chambers, this 29th day of July, 2011.

  
MARCIA MORALES HOWARD  
United States District Judge

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Copies to:

Counsel of Record