

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

ELENA DEL TORO,

Plaintiff,

vs.

Case No. 5:16-cv-667-Oc-34PRL

AMERICAN JANITORIAL, INC.,

Defendant.

ORDER

THIS CAUSE is before the Court on Magistrate Judge Philip R. Lammens' Report and Recommendation (Dkt. No. 23; Report), entered on June 22, 2017, recommending that the Stipulation of Dismissal and Joint Motion for Approval of Settlement of FLSA Claims (Dkt. No. 22; Motion) be granted. See Report at 4. On June 26, 2017, the parties filed a notice advising the Court that they have no objections to the Report. See Joint Notice of No Objection (Dkt. No. 24). Accordingly, this matter is ripe for review.

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 compensation. See Amended Complaint (Dkt. No. 8). 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. 22). 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 Lammens’ Report.

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

1. Magistrate Judge Philip R. Lammens’ Report and Recommendation (Dkt. No. 23) is **ADOPTED** as the opinion of the Court.
2. The Stipulation of Dismissal and Joint Motion for Approval of Settlement of FLSA Claims (Dkt. No. 22) is **GRANTED**.
3. For purposes of satisfying the FLSA, the Settlement Agreement (Dkt. No. 22-1) 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 Chambers, this 30th day of June, 2017.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Hon. Philip R. Lammens

Counsel of Record