

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

**JANE BUCK, and other similarly
situated,**

Plaintiff,

v.

Case No.: 6:08-cv-00477-Orl-35DAB

**ANDERSON-COLLINS, INC., a Florida
corporation formerly known as Sanford-
Orlando Kennel Club, Inc.,**

Defendant.

ORDER

THIS CAUSE comes before the Court for consideration of the Motion for Entry of Judgment in Accordance with Defendants' Offer of Judgment and Plaintiff's Acceptance of Offer of Judgment ("the Motion"), filed on February 6, 2009. (Dkt. 25). On March 4, 2009, the United States Magistrate Judge issued a Report and Recommendation, recommending that the Motion be granted. (Dkt. 26). Neither party filed objections to the Report and Recommendation, and the time for doing so has passed.

After conducting a careful and complete review of the findings and recommendations, a district judge may accept, reject or modify the magistrate judge's report and recommendation. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732, 732 (11th Cir. 1982), *cert. denied*, 459 U.S. 1112 (1983). A district judge "shall make a

de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made.” 28 U.S.C. § 636(b)(1)(C). This requires that the district judge “give fresh consideration to those issues to which specific objection has been made by a party.” Jeffrey S. v. State Bd. of Educ., 896 F.2d 507, 512 (11th Cir.1990) (quoting H.R. 1609, 94th Cong. § 2 (1976)). Even in the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject or modify, in whole or in part, the findings and recommendations. 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See Cooper-Houston v. Southern Ry., 37 F.3d 603, 604 (11th Cir. 1994).

Upon consideration of the Report and Recommendation, in conjunction with an independent examination of the file, the Court is of the opinion that the Report and Recommendation should be adopted, confirmed, and approved in all respects. Accordingly, it is **ORDERED** that:

1. The Report and Recommendation (Dkt. 26) is **CONFIRMED** and **ADOPTED** as part of this Order;
2. The Motion for Entry of Judgment in Accordance with Defendants’ Offer of Judgment and Plaintiff’s Acceptance of Offer of Judgment (Dkt. 25) is **GRANTED**. The settlement is approved by the Court;
3. This case is **DISMISSED WITH PREJUDICE**. Each party shall bear its own legal fees and costs, except as specified in the parties’ settlement agreement. No retainer agreement between Plaintiff and counsel shall override or alter the amount of settlement proceeds due to Plaintiff in

accordance with the terms of the settlement agreement as approved by this Order; and

4. The **CLERK** is directed to terminate any pending motions and **CLOSE** this case.

DONE and **ORDERED** in Orlando, Florida, this 19th day of March 2009.



MARY S. SCRIVEN
UNITED STATES DISTRICT JUDGE

Copies furnished to:
Counsel of Record