

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

GERMAN CAAMAL,

Plaintiff,

v.

Case No: 6:13-cv-706-Orl-36KRS

SHELTER MORTGAGE COMPANY, L.L.C.,

Defendant.

ORDER

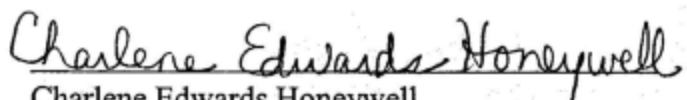
This cause comes before the Court on the Report and Recommendation of Magistrate Judge Karla R. Spaulding, filed on September 5, 2013 (Doc. 29). In the Report and Recommendation, the Magistrate Judge recommends that the Court grant the parties' Second Joint Motion for Review and Approval of Amended and Restated Settlement Agreement (Doc. 27). *See* Doc. 29. Neither party has objected to the Report and Recommendation and the time to do so has expired.

The Court agrees that the parties' settlement is a "fair and reasonable resolution of a bona fide dispute" of the claims raised pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.* *See Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1354–55 (11th Cir. 1982). Plaintiff is receiving all the compensation arguably due him under the Fair Labor Standards Act. Therefore, after careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects.

Accordingly, it is hereby **ORDERED and ADJUDGED**:

1. The Report and Recommendation of the Magistrate Judge (Doc. 29) is adopted, confirmed, and approved in all respects and is made a part of this Order for all purposes, including appellate review.
2. The Second Joint Motion for Review and Approval of Amended and Restated Settlement Agreement (Doc. 27) is **GRANTED**. The Amended and Restated Settlement and Full and Final Release of All Claims (Doc. 27-Ex. D) is **APPROVED**, as it constitutes a fair and reasonable resolution of a bona fide dispute.
3. Plaintiff's counsel is hereby **PROHIBITED** from withholding any amounts payable to Plaintiff under the settlement agreement pursuant to a contingent fee agreement or otherwise.
4. Plaintiff's counsel shall provide a copy of this Order to Plaintiff.
5. This action is hereby **DISMISSED** without prejudice and subject to the right of the parties, within sixty (60) days of the date of this Order, to submit a stipulated form of final order or judgment should they so choose or for any party to move to reopen the action, upon good cause shown. After that 60-day period, however, dismissal shall be with prejudice. Any pending motions are **denied** as moot and the Clerk is **directed** to terminate all deadlines and administratively close the file.

DONE and ORDERED in Orlando, Florida on September 26, 2013.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:

Counsel of Record

Unrepresented Parties

United States Magistrate Judge Karla R. Spaulding