

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

DAVID THOMPSON,

Plaintiff,

v.

Case No: 8:16-cv-2274-T-36TBM

FITZGERALD'S OF PASCO, INC.,

Defendant.

ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Thomas B. McCoun III on December 8, 2016 (Doc. 21). In the Report and Recommendation, Magistrate Judge McCoun recommends that the Court grant the parties' Joint Motion to Approve Settlement Agreement and Dismiss Case with Prejudice (Doc. 17). All parties were furnished copies of the Report and Recommendation and were afforded the opportunity to file objections pursuant to 28 U.S.C. § 636(b)(1). No such objections were filed.

Upon consideration of the Report and Recommendation, and upon this Court's independent examination of the file, it is determined that the Report and Recommendation should be adopted. Accordingly, it is now

ORDERED AND ADJUDGED:

- (1) The Report and Recommendation of the Magistrate Judge (Doc. 21) is adopted, confirmed, and approved in all respects, except as noted herein, and is made a part of this Order for all purposes, including appellate review.
- (2) The parties' Joint Motion to Approve Settlement Agreement and Dismiss Case with Prejudice (Doc. 17) is **GRANTED, in part**. The Wage and Hour Settlement and

Non-Disparagement Agreement (Doc. 17 - Ex. 1) is approved as it constitutes a fair and reasonable resolution of this case.

- (3) Defendant Fitzgerald's of Pasco is directed to disburse the settlement amounts and attorneys' fees and costs to Plaintiff within **fourteen (14) days**.
- (4) The Court declines to retain jurisdiction over this matter.
- (5) This case is dismissed with prejudice. The Clerk is directed to close this case.

DONE AND ORDERED in Tampa, Florida on December 28, 2016.


Charlene Edwards Honeywell
United States District Judge

Copies to:
The Honorable Thomas B. McCoun III
Counsel of Record