

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

DELFINA SERNA,

Plaintiff,

v.

Case No. 8:19-cv-2891-T-60CPT

STRADA SERVICES, INC.,

Defendant.

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on the report and recommendation of Christopher P. Tuite, United States Magistrate Judge, entered on January 8, 2021. (Doc. 47). Judge Tuite recommends that the “Joint Motion to Approve Settlement Agreement and Dismiss with Prejudice (Doc. 39) be granted and that the settlement be approved.

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 (11th Cir. 1982). 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. S. Ry. Co.*, 37 F.3d 603, 604 (11th Cir. 1994); *Castro Bobadilla v. Reno*, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), *aff'd*, 28 F.3d 116 (11th Cir. 1994) (table).

Upon consideration of the record, including Judge Tuite's report and recommendation, the Court adopts the report and recommendation. The Court agrees with Judge Tuite's detailed and well-reasoned findings and conclusions, including that the settlement agreement constitutes a fair and reasonable compromise of the dispute. See *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 (11th Cir. 1982). Consequently, the joint motion for approval of settlement is granted, and the settlement agreement is approved.

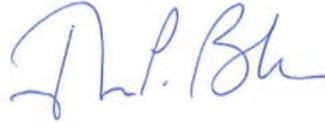
Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

1. Judge Tuite's report and recommendation (Doc. 47) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
2. The "Joint Motion to Approve Settlement Agreement and Dismiss with Prejudice" (Doc. 39) is **GRANTED**. The settlement agreement (Doc. 39-1) is **APPROVED**.
3. Pursuant to the settlement agreement, this action is dismissed with prejudice.

4. The Clerk is directed to terminate any pending motions and deadlines, and thereafter close this case.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 8th day of January, 2021.



TOM BARBER
UNITED STATES DISTRICT JUDGE