

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
OCALA DIVISION

MARY LISA RUSSELL,

Plaintiff,

v.

Case No: 5:17-cv-129-Oc-41PRL

ECI ELECTRIC INC., WILLIAM
LAWSON and PAUL LAWSON,

Defendants.

ORDER

THIS CAUSE is before the Court on the parties' Joint Motion for Settlement Approval and Dismissal with Prejudice (Doc. 32). United States Magistrate Judge Philip R. Lammens submitted a Report and Recommendation (Doc. 33), recommending that the Court grant the motion.

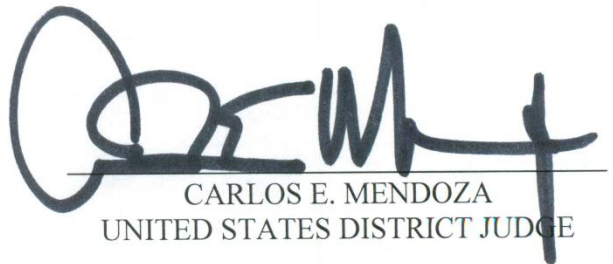
After a *de novo* review, and noting that no objections were timely filed, the Court agrees with the analysis in the Report and Recommendation, with the addition of the following caveat: to the extent that the Settlement Agreement purports to allow the parties to subsequently modify the Agreement, (*see* Doc. 32-1 ¶ XI), that language will be stricken. Pursuant to *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1355 (11th Cir. 1982), any future modifications to the Settlement Agreement are unenforceable absent judicial approval.

Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 33) is **ADOPTED** and **CONFIRMED** as set forth herein.
2. To the extent the modification provision (Doc. 32-1 ¶ XI) purports to allow the Settlement Agreement to be modified without Court approval, it is **STRICKEN**.

3. The parties' Joint Motion for Settlement Approval and Dismissal with Prejudice (Doc. 32) is **GRANTED**; the Settlement Agreement, as amended by this Court, is **APPROVED**; and this case is **DISMISSED with prejudice**.
4. The Clerk is directed to close this case.

DONE and **ORDERED** in Orlando, Florida on January 4, 2018.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record