

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MITCH FINNEY,

Plaintiff,

v.

Case No: 2:17-cv-480-FtM-38CM

CONDEE COOLING & ELECTRIC,
INC.,

Defendant.

ORDER¹

This matter comes before the Court on United States Magistrate Judge Carol Mirando's Report and Recommendation ([Doc. 26](#)) on the parties' Third Amended Joint Motion to Approve Settlement and Stipulation for Dismissal with Prejudice ([Doc. 23](#)). Judge Mirando recommend the Joint Motion be granted. Because neither party objects to the Report and Recommendation, this matter is now ripe for review.

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. See [28 U.S.C. § 636\(b\)\(1\)](#); see also [Williams v. Wainwright](#), [681 F.2d 732 \(11th Cir. 1982\)](#). In the absence of specific objections, there is no

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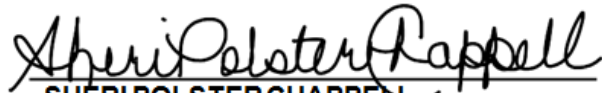
requirement that a district judge review factual findings *de novo*, [Garvey v. Vaughn](#), 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations, 28 U.S.C. § 636(b)(1)(C). The district judge reviews legal conclusions *de novo*, even in the absence of an objection. See [Cooper-Houston v. Southern Ry. Co.](#), 37 F.3d 603, 604 (11th Cir. 1994).

After conducting an independent examination of the file and on consideration of Judge Mirando's findings and recommendation, the Court accepts the Report and Recommendation.

Accordingly, it is now **ORDERED**:

- (1) The Report and Recommendation ([Doc. 26](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
- (2) The parties' Third Amended Joint Motion to Approve Settlement and Stipulation for Dismissal with Prejudice ([Doc. 23](#)) is **GRANTED** and the Settlement Agreement ([Doc. 25-1](#)) is approved as a fair and reasonable resolution of the dispute.
- (3) The action is **DISMISSED with prejudice**.
- (4) The Clerk of Court is **DIRECTED** to enter judgment accordingly, dismiss the case with prejudice, terminate all pending motions and deadlines, and close the file.

DONE and ORDERED in Fort Myers, Florida this 26th day of March, 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record