

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

MISTY D. CARMICHAEL,

Plaintiff,

v.

Case No. 3:17-cv-576-J-34MCR

COSMOS HOSPITALITY, INC., et al.,

Defendants.

ORDER

THIS CAUSE is before the Court on Magistrate Judge Monte C. Richardson's Report and Recommendation (Dkt. No. 76; Report), entered on April 5, 2018, recommending that the Amended Joint Motion to Approve Mediated Settlement Agreement in FLSA Case and to Dismiss Plaintiffs' Claims With Prejudice (Dkt. No. 75; Motion) be granted, that the Court approve the Settlement Agreement (Dkt. No. 75-1), and that this case be dismissed with prejudice. See Report at 1, 7. The parties do not object to the Report. See Notice to the Court that the Parties Have No Objection to the Magistrate Judge's Report and Recommendation (DE 76) (Dkt. No. 77).

The Court "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b). If no specific objections to findings of facts are filed, the district court is not required to conduct a de novo review of those findings. See Garvey v. Vaughn, 993 F.2d 776, 779 n.9 (11th Cir. 1993); see also 28 U.S.C. § 636(b)(1). However, the district court must review legal conclusions de

novo. See Cooper-Houston v. Southern Ry. Co., 37 F.3d 603, 604 (11th Cir. 1994); United States v. Rice, No. 2:07-mc-8-FtM-29SPC, 2007 WL 1428615, at * 1 (M.D. Fla. May 14, 2007).


The Court has conducted an independent examination of the record in this case and a de novo review of the legal conclusions. Plaintiff filed suit against Defendants pursuant to the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (FLSA), seeking recovery of unpaid overtime wages. See Amended Complaint (Dkt. No. 31). In October and November of 2017, a number of persons filed consents to join as additional Plaintiffs. See Consents to Join (Dkt. Nos. 32-34, 40-41). Thereafter, the parties engaged in settlement negotiations, which resulted in a resolution of the issues and claims raised in this case. See Motion (Dkt. No. 75). Upon review of the record, including the Report, Motion, and Settlement Agreement, the undersigned concludes that the settlement represents a “reasonable and fair” resolution of all Plaintiffs’ FLSA claims. Accordingly, the Court will accept and adopt Judge Richardson's Report.

In light of the foregoing, it is hereby **ORDERED**:

1. Magistrate Judge Monte C. Richardson’s Report and Recommendation (Dkt. No. 76) is **ADOPTED** as the opinion of the Court.
2. The Amended Joint Motion to Approve Mediated Settlement Agreement in FLSA Case and to Dismiss Plaintiffs’ Claims With Prejudice (Dkt. No. 75) is **GRANTED**.
3. For purposes of satisfying the FLSA, the Settlement Agreement (Dkt. No. 75-1) is **APPROVED**.
4. This case is **DISMISSED WITH PREJUDICE**.

5. The Clerk of the Court is directed to terminate any pending motions or deadlines as moot and close this file.

DONE AND ORDERED in Jacksonville, Florida, this 9th day of April, 2018.


MARCIA MORALES HOWARD
United States District Judge

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Copies to:

Counsel of Record