

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MARIA KLEEKLAMP, on behalf of
herself and others similarly situated

Plaintiff,

v.

Case No: 2:17-cv-660-FtM-38MRM

HOME PERFORMANCE ALLIANCE,
INC.,

Defendant.

_____ /

ORDER¹

This matter comes before the Court on United States Magistrate Judge Mac R. McCoy's Report and Recommendation ([Doc. 29](#)) on the parties' Joint Motion to Approve Settlement ([Doc. 28](#)). Judge McCoy recommends that the Court accept the parties' settlement as a fair and reasonable resolution of the dispute. Because the parties agree to waive the fourteen-day objection period ([Doc. 30](#)), the Report and Recommendation is 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 \(11th Cir. 1982\)](#). Absent specific objections, there is no requirement that a

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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 absent an objection. See [Cooper-Houston v. Southern Ry. Co.](#), 37 F.3d 603, 604 (11th Cir. 1994).

After independently examining the file and on consideration of Judge McCoy's findings and recommendation, the Court accepts the Report and Recommendation.

Accordingly, it is now

ORDERED:

1. The Report and Recommendation ([Doc. 29](#)) is **ACCEPTED and ADOPTED** and the findings incorporated herein.
2. The Joint Motion to Approve Settlement ([Doc. 28](#)) is **GRANTED**. The Settlement Agreement and Release is approved as a fair and reasonable resolution of the *bona fide* dispute.
3. The action is **DISMISSED with prejudice**.
4. The Clerk of Court is **DIRECTED** to enter judgment, dismiss the case with prejudice, terminate all pending motions and deadlines, and close the file.

DONE and ORDERED in Fort Myers, Florida this 13th day of June 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record