

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

KRISTY VAUGHN,

Plaintiff,

v.

Case No: 6:17-cv-1713-Orl-41LRH

**GEMCO2, LLC, GARY E. MYERS and
SCOTT A. MYERS,**

Defendants.

ORDER

THIS CAUSE is before the Court on Defendant's Motion for Sanctions (Doc. 34) and the Report and Recommendation (Doc. 47) thereon. This cause is also before the Court on the Joint Motion for Approval of Settlement Agreement and Entry of an Order of Dismissal with Prejudice (Doc. 50).

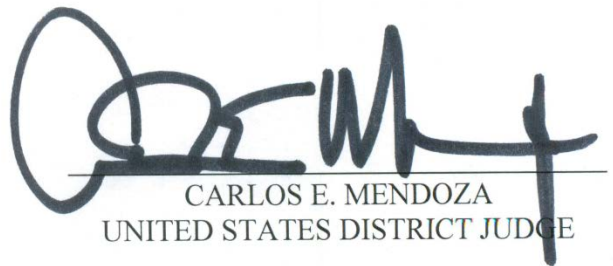
After a *de novo* review of the Report and Recommendation, and noting that no objections were timely filed, the Court agrees with the analysis therein. However, because the parties have settled Plaintiff's claims, including the issue of attorneys' fees, the Motion for Sanctions and the Report and Recommendation, insofar as it addresses the motion, are moot. Nevertheless, given defense counsel's egregious conduct, Judge Spaulding recommended that the Court order her to appear at a hearing and show cause why the Court should not impose additional sanctions or other discipline. That portion of the Report and Recommendation will be adopted.

As to the Joint Motion for Approval of Settlement Agreement, the Court finds that the Settlement Agreement (Doc. 50-1) is a fair and reasonable resolution of a bona fide dispute pursuant to *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350 (11th Cir. 1982) and its progeny.

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

1. The Report and Recommendation (Doc. 47) is **ADOPTED** and **CONFIRMED** insofar as it addresses the issue of sanctions upon the Court's own motion; it is **deemed MOOT** insofar as it addresses Defendant's Motion for Sanctions.
2. Defendant's Motion for Sanctions (Doc. 34) is **DENIED as moot**.
3. **On May 17, 2019, at 9:30 a.m.**, attorney Erin Lockhart shall personally appear in Courtroom 5B, George C. Young United States Courthouse Annex, 401 W. Central Boulevard, Orlando, Florida, before the undersigned, to **SHOW CAUSE** as to why additional sanctions should not be assessed.
4. The Joint Motion for Approval of Settlement Agreement and Entry of an Order of Dismissal with Prejudice (Doc. 50) is **GRANTED**.
5. The Settlement Agreement (Doc. 50-1) is **APPROVED**.
6. This case is **DISMISSED with prejudice**.
7. The Clerk is directed to close this case.

DONE and **ORDERED** in Orlando, Florida on April 22, 2019.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record