

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

JAM AGUIAR,

Plaintiff,

v.

Case No: 2:18-cv-116-FtM-38UAM

REAL MONARCA INC and  
GUILLERMO CUEVAS,

Defendants.

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**OPINION AND ORDER**<sup>1</sup>

Before the Court is Magistrate Judge Douglas N. Frazier's Report and Recommendation. ([Doc. 39](#)). Judge Frazier recommends granting the parties' Renewed Joint Motion for Approval of Settlement Agreement and Entry of an Order of Dismissal with Prejudice ([Doc. 38](#)) and approving their Settlement Agreement ([Doc. 38-1](#)). ([Doc. 39 at 1, 4](#)). The parties filed a Joint Notice of Non-Objection to the Report and Recommendation, stating that neither objects. ([Doc. 40](#)). The matter 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](#),

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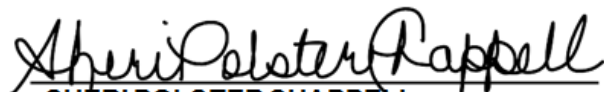
681 F.2d 732 (11th Cir. 1982). In the absence of specific objections, there is no requirement that a district judge review factual findings *de novo*, *Garvey v. Vaughn*, 993 F.2d 776, 779 n.9 (11th Cir. 1993), and the court may accept, reject, or modify, in whole or in part, the findings and recommendations, 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 careful consideration and an independent review of the file, the Court accepts and adopts the Report and Recommendation (Doc. 39) in full.

Accordingly, it is now **ORDERED**:

1. The Report and Recommendation (Doc. 39) is **ACCEPTED and ADOPTED** and incorporated into this Order.
  - a. The parties' Renewed Joint Motion for Approval of Settlement Agreement and Entry of an Order of Dismissal with Prejudice (Doc. 38) is **GRANTED**.
  - b. The Settlement Agreement (Doc. 38-1) is **APPROVED** as a fair and reasonable resolution of the parties' bona fide dispute.
2. The action is **DISMISSED with prejudice**.
3. The Clerk is **DIRECTED** to enter judgment accordingly, terminate all pending motions and deadlines, and close the file.

**DONE and ORDERED** in Fort Myers, Florida this 28th day of March, 2019.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record