

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

LEWIS WHITE,

Plaintiff,

v.

Case No.: 2:18-cv-548-FtM-38UAM

HONEST & TRUE MOVING CREW,
LLC,

Defendant.

ORDER¹

Before the Court is United States Magistrate Judge Douglas N. Frazier's Report and Recommendation. ([Doc. 38](#)). Judge Frazier recommends granting the parties' Renewed Joint Motion for Fairness Review and Dismissal with Prejudice ([Doc. 37](#)) and approving their Settlement and Limited Release Agreement ([Doc. 37-1](#)) as a "fair and reasonable solution of a bona fide dispute" of the FLSA issues. Neither party objects to the Report and Recommendation, and the time to do so has expired. The Report and Recommendation is ripe for review.

A district judge "may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge." [28 U.S.C. § 636\(b\)\(1\)](#). The district judge "shall make a de novo determination of those portions of the report or specified proposed findings or recommendations to which objection is made." *Id.* And "[t]he judge

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may also receive further evidence or recommit the matter to the magistrate judge with instructions.” *Id.*

After examining the file independently, and upon considering Judge Frazier’s findings and recommendations, the Court accepts and adopts the Report and Recommendation.

Accordingly, it is now **ORDERED**:

(1) The Report and Recommendation ([Doc. 38](#)) is **ACCEPTED** and **ADOPTED** and the findings incorporated herein.

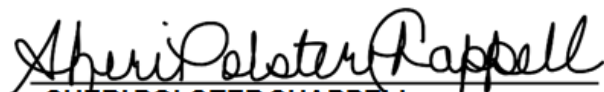
a. The Renewed Joint Motion for Fairness Review and Dismissal with Prejudice ([Doc. 37](#)) is **GRANTED**.

b. The Settlement and Limited Release Agreement ([Doc. 37-1](#)) is **APPROVED** as a “fair and reasonable resolution of a bona fide dispute” of the parties’ FLSA issues.

(2) The above-captioned case is **DISMISSED with prejudice**.

(3) The Clerk is **DIRECTED** to enter judgment, terminate any pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 20th day of May 2019.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record