

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

KATIE WALLACE,

Plaintiff,

v.

Case No: 2:18-cv-627-FtM-38MRM

ALLEN CONCRETE & MASONRY,
INC.,

Defendant.

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OPINION AND ORDER¹

Before the Court is Magistrate Judge Mac R. McCoy's Report and Recommendation. ([Doc. 27](#)). Judge McCoy recommends granting the parties' Joint Motion to Approve of FLSA Settlement and Dismiss with Prejudice ([Doc. 26](#)) and approving their Settlement Agreement ([Doc. 26-1](#)). ([Doc. 27 at 4](#)). Neither party filed a timely objection to the Report and Recommendation, so 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](#), [681 F.2d 732 \(11th Cir. 1982\)](#). In the absence of specific objections, there is no

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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. 27](#)) in full.

Accordingly, it is now **ORDERED**:

1. The Report and Recommendation ([Doc. 27](#)) is **ACCEPTED and ADOPTED** and incorporated into this Order.
 - a. The parties' Joint Motion to Approve FLSA Settlement and Dismiss with Prejudice ([Doc. 26](#)) is **GRANTED**.
 - b. The Settlement Agreement ([Doc. 26-1](#)) 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 5th day of April, 2019.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record