

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

OSCAR AGUIRIANO, an  
individual,

Plaintiff,

v. Case No: 2:18-cv-642-FtM-29UAM

SOUTH STREET RESTAURANT  
GROUP, INC., a Florida  
profit corporation,

Defendant.

---

**OPINION AND ORDER**

This matter is before the Court on consideration of the Magistrate Judge's Report and Recommendation (Doc. #22), filed March 13, 2019, recommending that the Joint Motion to Approve Settlement and Dismiss with Prejudice (Doc. #21) be granted in part and denied in part, the Settlement Agreement and Plaintiff's Full and Final Release of Claims for Unpaid Wages (Doc. #21-1) be approved, and the case be dismissed. No objections have been filed and the time to do so has expired.

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. 28 U.S.C. § 636(b)(1); Williams v. Wainwright, 681 F.2d 732 (11th Cir. 1982), cert. denied, 459 U.S. 1112 (1983). 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); Castro Bobadilla v. Reno, 826 F. Supp. 1428, 1431-32 (S.D. Fla. 1993), aff'd, 28 F.3d 116 (11th Cir. 1994) (Table).

After conducting an independent examination of the file and upon due consideration of the Report and Recommendation, the Court accepts the Report and Recommendation of the magistrate judge.

Accordingly, it is now

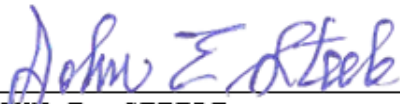
**ORDERED:**

1. The Report and Recommendation (Doc. #22) is hereby **adopted** and the findings **incorporated** herein.

2. The parties' Joint Motion to Approve Settlement and Dismiss with Prejudice (Doc. #21) is **granted in part and denied in part**. The Settlement Agreement and Plaintiff's Full and Final Release of Claims for Unpaid Wages (Doc. #21-1) is **approved** as a fair and reasonable resolution of a bona fide dispute. The parties' request for the Court to retain jurisdiction over enforcement of the settlement agreement for a period of 60 days is **denied**.

3. The Clerk shall enter judgment **dismissing** the case with prejudice, terminate all deadlines and motions, and close the file.

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

  
\_\_\_\_\_  
JOHN E. STEELE  
SENIOR UNITED STATES DISTRICT JUDGE

Copies:  
Hon. Douglas N. Frazier  
United States Magistrate Judge

Counsel of Record  
Unrepresented parties