

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

GLEN KELLER,

Plaintiff,

v.

Case No. 8:23-cv-1340-TPB-AEP

DISCOUNT AUTO PARTS, LLC,

Defendant.

_____ /

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the Court on consideration of the report and recommendation of Anthony E. Porcelli, United States Magistrate Judge, entered on August 15, 2024. (Doc. 23). Judge Porcelli recommends that the “*Renewed Joint Motion to Approve Settlement of FLSA Case and Joint Stipulation for Dismissal with Prejudice*” (Doc. 22) be granted in part and denied in part. Specifically, Judge Porcelli recommends that the Court approve the settlement, other than the confidentiality provision, which he recommends striking. On August 23, 2024, the parties filed a joint notice of no objections to the report and recommendation.

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); *Camby v. Davis*, 718 F.2d 198, 199 (4th Cir. 1983); *Williams v. Wainwright*, 681 F.2d 732 (11th Cir. 1982). A district court must “make a de novo determination of those portions of the [report and recommendation] to which an objection is made.” 28 U.S.C. § 636(b)(1)(C).

Upon due consideration of the record, the Court adopts the report and recommendation. The Court agrees with Judge Porcelli’s detailed and well-reasoned factual

findings and legal conclusions. Consequently, the joint motion is granted and the settlement agreement is approved, other than the confidentiality provision, which is stricken.

Accordingly, it is

ORDERED, ADJUDGED, and DECREED:

- 1) Judge Porcelli's report and recommendation (Doc. 23) is **AFFIRMED** and **ADOPTED** and **INCORPORATED BY REFERENCE** into this Order for all purposes, including appellate review.
- 2) The "*Renewed* Joint Motion to Approve Settlement of FLSA Case and Joint Stipulation for Dismissal with Prejudice" (Doc. 22) is **GRANTED IN PART** and **DENIED IN PART**.
- 3) The confidentiality provision of the settlement agreement is **STRICKEN**.
- 4) The settlement agreement (Doc. 22-1) is otherwise accepted, adopted, and approved by the Court, and the parties are ordered to comply with the terms of the settlement agreement.
- 5) This action is dismissed with prejudice.
- 6) The Clerk is directed to terminate all pending motions and deadlines, and thereafter close the case.

DONE and **ORDERED** in Chambers, in Tampa, Florida, this 27th day of August, 2024.



TOM BARBER
UNITED STATES DISTRICT JUDGE