

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
FLORIDA

Holger Mark Doerr v. Villa Vie Residences Corporation

Doerr · No. 0:25-cv-61311-LEIBOWITZ/AUGUSTIN-BIRCH · Decided December 31, 2025

SUMMARY

The United States District Court for the Southern District of Florida adopted a magistrate judge’s report and recommendation concerning the parties’ joint motion to approve an FLSA settlement. The court approved the settlement, dismissed the action with prejudice, retained jurisdiction to enforce the agreement, and directed the clerk to close the case.

CASE DETAILS

COURT	United States District Court for the Southern District of Florida
JURISDICTION	United States District Court for the Southern District of Florida
DECIDED	December 31, 2025
DOCKET	0:25-cv-61311-LEIBOWITZ/AUGUSTIN-BIRCH
DISPOSITION	dismissed
PROCEDURAL POSTURE	The district court reviewed a magistrate judge's Report and Recommendation recommending approval of the parties' FLSA settlement agreement and dismissal with prejudice. No party objected.
STANDARD OF REVIEW	Clear-error review applies to portions of a magistrate judge's report and recommendation to which no specific objection is filed; portions subject to sufficiently specific objections receive de novo review.
PRECEDENTIAL VALUE	Unpublished district court order; limited precedential value

TOPICS

flsa wage and hour civil procedure

PRACTICE AREAS

Fair Labor Standards Act wage and hour civil procedure settlement approval

QUESTIONS PRESENTED

1. Whether the district court should adopt the magistrate judge's Report and Recommendation when no party filed objections.

2. Whether the parties' FLSA settlement agreement should be approved and the action dismissed with prejudice.

HOLDINGS

1. When no party files objections to a magistrate judge's Report and Recommendation, the district court reviews the unobjected-to portions for clear error rather than conducting de novo review.
2. The court approved the parties' FLSA settlement agreement, dismissed the action with prejudice, retained jurisdiction to enforce the settlement terms, and directed the Clerk to close the case.

KEY QUOTATIONS

"To the extent a party fails to object to parts of the magistrate judge's report, those portions are reviewed for clear error." (at 1)

"The Court adopts the R&R in its entirety." (at 1-2)

FACTUAL BACKGROUND

The parties entered into an FLSA settlement agreement and jointly sought its approval and dismissal of the action with prejudice. The opinion does not describe the underlying employment or wage facts. The parties filed no objections to the magistrate judge's Report and Recommendation.

PROCEDURAL HISTORY

The parties jointly moved for approval of their FLSA settlement agreement and dismissal with prejudice. Magistrate Judge Panayotta Augustin-Birch recommended granting the motion and dismissing the action. After the objection period expired without objections, the district court reviewed the R&R for clear error, adopted it in full, approved the settlement, dismissed the action with prejudice, retained jurisdiction to enforce the settlement, and closed the case.

DISPOSITION

dismissed

CASES CITED

- *Macort v. Prem, Inc.*, 208 F. App'x 781, 783-84 (11th Cir. 2006)

OPINION

UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF FLORIDA CASE NO. 0:25-cv-61311-LEIBOWITZ/AUGUSTIN-BIRCH HOLGER MARK DOERR, Plaintiffs, v. VILLA VIE RESIDENCES CORPORATION, Defendants.
_____/ ORDER ADOPTING MAGISTRATE'S
REPORT AND RECOMMENDATION THIS CAUSE is before the Court on United States Magistrate Judge Panayotta Augustin- Birch's Report and Recommendation on the parties' Joint

Motion for Approval of the Parties' FLSA Settlement Agreement and Dismissal with Prejudice [ECF No. 36].

[ECF No. 42 (the "R&R")]. Judge Augustin-Birch recommends granting the Joint Motion for Approval of the Parties' FLSA Settlement Agreement and Dismissal with Prejudice [ECF No. 36] and dismissing this case with prejudice. [ECF No. 42 at 4].

The parties did not file any objections to the R&R, and the time to do so has passed. After careful review of the filings, the applicable law, and the record, the Court adopts Judge Augustin- Birch's R&R in its entirety. "In order to challenge the findings and recommendations of the magistrate judge, a party must file written objections which shall specifically identify the portions of the proposed findings and recommendation to which objection is made and the specific basis for objection." *Macort v. Prem, Inc.*, 208 F. App'x 781, 783 (11th Cir.

2006) (cleaned up). The objections must also present "supporting legal authority." S.D. Fla. L. Mag. J.R. 4(b). Once a district court receives "objections meeting the specificity requirement set out above," it must "make a de novo determination of those portions of the report to which objection is made and may accept, reject, or modify in whole or in part, the findings or recommendations made by the magistrate judge." *Macort*, 208 PF.

App'x at 783-84 (cleaned up). 'To the extent a party fails to object to parts of the magistrate judge's report, those portions are reviewed for clear error. *Id.* at 784 (cleaned up). The parties have not submitted any objections to Judge Augustin-Birch's R&R, and the time to do so has passed.

As such, the Court has reviewed the R&R for clear error only. Upon this review, the Court finds not only no clear error but also notes that Judge Augustin-Birch's R&R is thorough, cogent, and compelling. The Court adopts the R&R in its entirety.

Accordingly, it is hereby ORDERED AND ADJUDGED that: 1. Magistrate Judge Augustin-Birch's R&R [ECF No. 42] is AFFIRMED AND ADOPTED. 2. 'The Joint Motion for Approval of the Parties' FLSA Settlement Agreement and Dismissal with Prejudice [ECF No. 36] is GRANTED.

3. 'This action is hereby DISMISSED WITH PREJUDICE. 4. The Court will retain jurisdiction to enforce the terms of the settlement agreement. 5. The Clerk of Court directed to CLOSE this case. 6. Any pending motions are DENIED as moot, and any pending deadlines are TERMINATED. DONE AND ORDERED in the Southern District of Florida on December 31, 2025. ee es UNITED STATES DISTRICT JUDGE cc: counsel of record