

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

Case No. 20-21553-Civ-COOKE/GOODMAN

PATRICK GAYLE, *et al.*,

Petitioners,

vs.

MICHAEL W. MEADE, *et. al.*,

Respondents.

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ORDER ADOPTING REPORT AND RECOMMENDATION

THIS MATTER is before the Court upon Magistrate Judge Jonathan Goodman's Report and Recommendation (the "Report") on the proposed settlement of this class action lawsuit involving claims arising from Plaintiffs' allegedly unconstitutional conditions of confinement in three Florida immigration detention facilities during the still-ongoing COVID-19 pandemic, which Judge Goodman issued on December 3, 2021. ECF No. 810. In his Report, Judge Goodman recommends that I grant final approval of the Settlement Agreement, retain jurisdiction to enforce the Settlement Agreement and enter final orders and judgments in accordance with the terms of the Settlement Agreement.

The Parties were permitted to file objections to Judge Goodman's Report within five (5) days from the date of being served with a copy of Judge Goodman's Report. No such objections were filed. The Court, however, notes nine Motions styled as Emergency Motions for Temporary Restraining Order and Motion for Preliminary Injunction for Proposed Class were filed by detainees at the three Florida Immigration detention facilities. *See*, ECF Nos. 775, 790, 797, 798, 808, 809, 81, 817, and 823. These Emergency Motions appear to be exact word for word replicas of each other. The Court construed the Emergency Motions as objections and recognizes, as does Judge Goodman's Report, that the Emergency Motions are not actually objections, but rather, complaints about some specific current conditions, which the Settlement Agreement addresses. Moreover, whatever the merits of those complaints, rejecting the Settlement Agreement and forcing the parties to take the case to trial would not alleviate them.

Furthermore, the Undersigned finds Judge Goodman's Report to be clear, cogent, and compelling. Accordingly, it is hereby **ORDERED and ADJUDGED as follows:**

1. Judge Goodman's Report and Recommendation (ECF No. 810) is **AFFIRMED and ADOPTED** as the Order of this Court.

2. The Joint Motion for Approval of the Settlement Agreement (ECF No. 698) is **GRANTED**.

3. By separate order I will enter a final order of dismissal through which I will retain jurisdiction to enforce the terms of the Settlement Agreement.

DONE and ORDERED in Chambers at Miami, Florida this 22nd day of December 2021.

A handwritten signature in cursive script, reading "Marcia G. Cooke", written in black ink over a horizontal line.

MARCIA G. COOKE

United States District Judge

Copies furnished to:

*Jonathan Goodman, U.S. Magistrate Judge
Counsel of record*