

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS

FOR THE ELEVENTH CIRCUIT

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No. 16-15838

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D.C. No. 1:15-cv-24350-KMM

RICARDO AGUILA,  
and other similarly situated individuals,  
TERESA AGUILA,

Plaintiffs - Appellants,

versus

CORPORATE CATERERS IV, INC.,  
a Florida profit corporation

Defendant,

CORPORATE CATERERS II, INC.,  
JIM GASS,  
individually,

Defendants - Appellees.

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Appeal from the United States District Court  
for the Southern District of Florida

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(March 24, 2017)

Before ED CARNES, Chief Judge, ANDERSON and PARKER,\* Circuit Judges.  
PER CURIAM:

Having carefully considered the written submissions and the arguments of the parties and of the *amicus curiae*, we conclude that there is no free standing claim for relief under section 203(m) of the Fair Labor Standards Act, 29 U.S.C. § 203(m), where, as here, there is no allegation that the employer does not pay the minimum wage. Accordingly, the judgment of the district court is

AFFIRMED.

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\* Honorable Barrington D. Parker, Jr., United States Circuit Judge for the Second Circuit, sitting by designation.