

[DO NOT PUBLISH]

IN THE UNITED STATES COURT OF APPEALS
FOR THE ELEVENTH CIRCUIT

No. 16-15838

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.

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

(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.

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