

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
SOUTHERN DIVISION

JESUS MARTINEZ, et al.,)	
)	
Plaintiffs;)	
)	
vs.)	2:14-cv-01930-LSC
)	
GABY FOOD SERVICES, INC.,)	
et al.,)	
)	
Defendants.)	
)	

MEMORANDUM OF OPINION

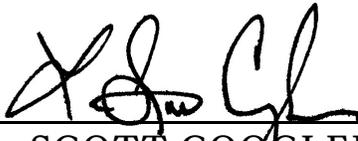
Before the Court is the parties’ joint motion for approval of settlement. (Doc. 24.) This suit was brought by Plaintiffs Jesus Martinez and Francisco Salas to collect alleged unpaid wages under the Fair Labor Standards Act (“FLSA”). *See* 29 U.S.C. § 201 *et seq.* Plaintiffs assert that their pay was less than the statutorily required minimum and overtime wages. Plaintiffs further assert that, as “tipped employees,” they were wrongfully required to contribute cash tips to fellow employees who did not hold a position that regularly received such tips.

In the “context of suits brought directly by employees against their employer . . . to recover back wages for FLSA violations,” parties must present any

proposed settlement to the district court, which “may enter a stipulated judgment after scrutinizing the settlement for fairness.” *Lynn’s Food Stores, Inc. v. U.S. Dep’t of Labor*, 679 F.2d 1350, 1353 (11th Cir. 1982). Having considered the guidelines set forth by the Eleventh Circuit for approval of an FLSA settlement, the Court finds that the proposed settlement agreement is fair, as it reflects a reasonable compromise of issues actually in dispute. The settlement was reached in an adversarial context in which Plaintiffs were represented by competent and experienced counsel, and the totality of the proposed settlement is fair and reasonable. *See id.* at 1354.

For the reasons stated above, the joint motion for approval of settlement agreement (Doc. 24) is due to be granted.

Done this 6th day of August 2015.



L. SCOTT COOGLER
UNITED STATES DISTRICT JUDGE
177822