

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

<b>CAROL LONG,</b>	)	
<b>Plaintiff,</b>	)	
<b>vs.</b>	)	<b>CIVIL ACTION NO. 11-00476-KD-C</b>
<b>ALORICA, INC., f/K/A RYLA TELESERVICES, INC.,</b>	)	
<b>Defendant.</b>	)	

**ORDER**

This action is before the Court on notice that the parties have reached a settlement agreement as to Carol Long’s claims against Alorica, Inc., but the issue of a reasonable attorney’s fee for her counsel has not been resolved. The docket indicates that Magistrate Judge Sonja F. Bivins has set a status conference for December 21, 2012. (Doc. 58)

Pursuant to the provisions of the Fair Labor Standards Act, 29 U.S.C. § 201, *et seq.*, when the parties to a private action under the FLSA reach a settlement, the Court must “scrutiniz[e]” the settlement for fairness” and determine whether the settlement is “a fair and reasonable resolution of a bona fide dispute over Fair Labor Standards Act provisions.” *Stalaker v. Novar Corp.*, 293 F. Supp. 2d 1260, 1263 (M.D. Ala. 2003) (quoting *Lynn’s Food Stores, Inc. v. United States of America*, 679 F. 2d 1350, 1353, 1355 (11th Cir. 1982)); *see also* *Silva v. Miller*, 307 Fed. Appx. 349 (11th Cir. 2009). Also, pursuant to 29 U.S.C. § 216(b), “[t]he court in [an FLSA action] shall ... allow a reasonable attorney's fee to be paid by the defendant, and costs of the action.”

Accordingly, this action is **DISMISSED with prejudice, subject however to this Court’s jurisdiction to approve the settlement agreement and allow a reasonable attorney’s**

**fee.** The parties are **ORDERED** to file their motion to approve the settlement agreement and motion to allow a reasonable attorney's fees on or before **December 28, 2012**.

Final judgment as required by *Lynn's Food Stores, Inc. v. United States of America*, 679 F. 2d. 1350, 1355 (11<sup>th</sup> Cir. 1982), shall be entered by separate document.

DONE and ORDERED this the 13th day of December, 2012.

/s/ Kristi K. DuBose  
KRISTI K. DuBOSE  
UNITED STATES DISTRICT JUDGE