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6 IN THE UNITED STATES DISTRICT COURT
7 FOR THE DISTRICT OF ARIZONA

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9 Kevin Boland; et al.,) No. CV 07-1370-PHX-JAT

10 Plaintiffs,) **ORDER**

11 vs.)

12 Apartment Investment and Management)
13 Company; et al.,)

14 Defendants.)

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16 The parties in this case have filed a Motion to Approve Settlement (Doc. #61). When
17 employees bring a private action for back wages under the Fair Labor Standards Act, and the
18 employer and employees agree to settle the disputed claims, the court must review and
19 approve the settlement for its fairness to the settling employees. *See e.g. Lynn’s Food Stores*
20 *v. United States*, 679 F.2d 1350, 1353 (11th Cir. 1982). The court should determine whether
21 the settlement is fair, reasonable, and adequate. *Id.* at 1354. Having reviewed the parties’
22 arm’s length Settlement Agreement, the Court finds that it is fair, reasonable, and adequate.
23 The settlement fairly compensates the Plaintiffs for their claims and eliminates the ongoing
24 burden, expense, and risk of litigation.

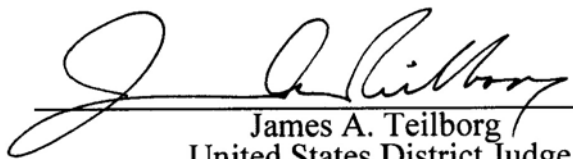
25 Accordingly,

26 IT IS ORDERED GRANTING the parties’ Motion to Approve Settlement (Doc. #61).
27 The Settlement Agreement attached as Exhibit 1 to the Motion to Approve Settlement (Doc.
28 #61-2) is hereby approved.

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IT IS FURTHER ORDERED that the Clerk of the Court shall dismiss this case with prejudice within sixty (60) days of the date of this Order, unless either party files a motion for an extension of time to resolve the claims.

DATED this 16th day of October, 2008.



James A. Teilborg
United States District Judge