

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION**

**BENNIE WATSON, JASON STILLER, SR.,
JASON STILLER, JR. and
ALVIN "BEAU" BELLAMY**

PLAINTIFFS

v.

Case No. 4:11-cv-00843 KGB

**SURF-FRAC WELLHEAD EQUIPMENT
COMPANY, INC.**

DEFENDANT

ORDER

Before the Court is the parties' joint motion for reconsideration of October 11, 2013, Order and joint stipulation and motion to dismiss with prejudice (Dkt. No. 115). Plaintiffs brought this action asserting a claim under 29 U.S.C. § 216(b) of the Fair Labor Standards Act ("FLSA"). "The FLSA bars private settlements of disputes about unpaid wages." *Brown v. L & P Indus., LLC*, 2005 WL 3503637, *8 (E.D. Ark. Dec. 21, 2005). Rather, the Court is required to approve any FLSA wage and hour settlement after scrutinizing it for fairness. *Id.* (citing *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1352-53 (11th Cir. 1982)). Therefore, the Court directs the parties to submit the appropriate filings to permit this Court to evaluate the settlement. The Court directs that these filings be made under seal. The Court must approve the settlement before entering an order of dismissal.

SO ORDERED this 14th day of November, 2013.



Kristine G. Baker
United States District Judge