

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

JESSICA GUINN et al.

PLAINTIFFS

v.

Case No. 4:13-cv-00559-KGB

**JOEL FRENCH and GARY
FRENCH, each individually and
d/b/a DJ TRUCKING**

DEFENDANTS

ORDER

Before the Court is plaintiffs' unopposed motion to dismiss with prejudice (Dkt. No. 19). 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.

IT IS SO ORDERED this 6th day of October, 2014.



KRISTINE G. BAKER
UNITED STATES DISTRICT JUDGE