

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

SHERRY DANDISON and RICHARD ORCHARD,  
individually and on behalf of all others  
similarly situated

PLAINTIFFS

v.

No. 4:15-cv-62-DPM

HANK'S FURNITURE, INC.

DEFENDANT

ORDER

1. The parties' settlement agreement, *No 44 at 3-10*, is fair, reasonable, and adequate. *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 203 (2d Cir. 2015); *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 (11th Cir.1982). The Court approves it. The proposed notice, *No 44 at 11-13*, is clear and adequate. The Court approves it too. While the proposed attorney's fee is healthy, the records show that counsel spent many hours working on this case and negotiating a settlement. All material things considered, the realized hourly rate and the total fee are reasonable.

2. The Court decertifies the conditionally certified collective action described in its 11 August 2015 Order, *No 32 at 3*. The parties' settlement on a broader scale moots the smaller group. And the Court certifies (finally, not conditionally) the following group as a settlement collective action.

All former sales associates at any Hank's location who were employed between 26 January 2013 and 26 January 2015, and who didn't participate in the Department of Labor settlement for the Bowman Road store in Little Rock, Arkansas.

3. The parties should implement the settlement with notice and disbursement as soon as practicable. Joint status report about the settlement administration due by 18 December 2015.

\* \* \*

Motion, No 38, granted.

So Ordered.

D.P. Marshall Jr.  
D.P. Marshall Jr.  
United States District Judge

19 November 2015