

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF ARKANSAS  
FORT SMITH DIVISION

CHARLES VINSANT, Individually  
and on Behalf of All Others Similarly  
Situating, et al.

PLAINTIFFS

v.

No. 2:18-CV-2056

MYEXPERIAN, INC.

DEFENDANT

**ORDER**

Before the Court is a second joint motion (Doc. 68) to approve the parties' settlement agreement and dismiss Plaintiffs' claims under the Fair Labor Standards Act ("FLSA") and Arkansas Minimum Wage Act. The parties filed a modified proposed agreement as an exhibit to the motion. A district court may only approve a settlement agreement and enter a stipulated judgment that includes a waiver of FLSA claims after it determines that the litigation involves a bona fide dispute and that the proposed settlement is fair and equitable to all parties. *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 n.8 (11th Cir. 1982). Having already found that a bona fide dispute exists, the Court now finds that the agreement is fair and equitable to Plaintiffs. The parties have agreed on the amount of attorney's fees to be awarded to Plaintiffs, which is not subject to judicial review. *See Barbee v. Big River Steel, LLC*, No. 18-2255, 2019 WL 2527594, at \*2 (8th Cir. June 20, 2019). The proposed agreement is approved in its entirety and the Court will retain jurisdiction to enforce the terms of the agreement.

IT IS THEREFORE ORDERED that the second joint motion to dismiss and approve settlement agreement (Doc. 68) is GRANTED and this case is DISMISSED WITH PREJUDICE.

IT IS SO ORDERED this 8th day of July, 2019.

*/s/ P. K. Holmes, III*

P.K. HOLMES, III  
U.S. DISTRICT JUDGE