

1 Rory C. Quintana (SBN 258747)
 Hallie B. Albert (SBN 258737)
 2 QUINTANA ALBERT LLP
 201 Spear Street, Suite 1100
 3 San Francisco, CA 94105
 Telephone: (415) 504-3121
 4 Fax: (415) 233-8770
 rory@qalegal.com

5 *Attorney for Plaintiffs*

6
 7 UNITED STATES DISTRICT COURT
 8 EASTERN DISTRICT OF CALIFORNIA

9
 10 **ANTHONY SPRADLIN**, an individual,
GARY ALLEN, an individual, and **DAVID**
 11 **SAMUELSON**, an individual

12 Plaintiffs,

13 v.

14 **KASCO CORPORATION** a Delaware
 corporation; and **DOES 1 through 10**,
 15 inclusive,

16 Defendants.

CASE NO.: 2:13-cv-02260-TLN-AC

**ORDER FOR APPROVAL OF
 SETTLEMENT AND REQUEST FOR
 DISMISSAL WITH PREJUDICE OF ALL
 CLAIMS.**

17
 18 **ORDER**

19 Pending before the Court is the parties joint motion for approval of settlement and
 20 request for dismissal with prejudice of all claims. Good cause appearing, the Court GRANTS
 21 the motion.

22 The proposed settlement before the Court includes, among other things, a release of any
 23 and all claims that Plaintiffs have (or had) against Defendant for wages under the Fair Labor
 24 Standards Act (“FLSA”) §§210, *et seq.* Claims of this nature can only be settled under the
 25 authority of either the Secretary of Labor or the District Court. *Lynn’s Food Stores, Inc. v.*
 26 *United States*, 679 F.2d 1350, 1353 (11th Cir. 1982). In order to approve the settlement, the
 27 Court must “determine whether the settlement is a fair and reasonable resolution of a bona fide
 28 dispute/.” *Yue Zhou v. Wang’s Rest.*, 2007 WL 172308 1 (N.D. Cal. Aug.8, 2007) (citing *Lynn’s*

1 *Food Stores, Inc.*, 679 F.2d at 1354.

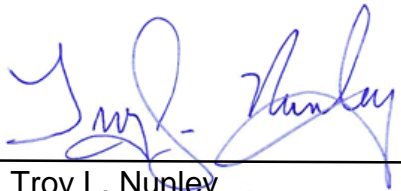
2 After a review of the Settlement and General Release Agreements filed by the parties, the
3 Court determines that the terms of the settlement of this litigation are fair and reflect a reasonable
4 compromise of Plaintiffs' claims, including the amount contemplated to be paid to Plaintiffs for
5 resolution of their claims. The Court, moreover, has determined that the agreement is not the
6 product of fraud or overreaching by, or collusion between, the negotiating parties, and that the
7 settlement, taken as a whole, is fair, reasonable and adequate to all concerned. *See, e.g. Officers*
8 *for Justices v. Civil Service Commission*, 688 F.2d 615, 625 (9th Cir. 1982).

9 The Court, thus having approved of the settlement of the claims in this matter, hereby
10 **DISMISSES WITH PREJUDICE** all of the individual claims which were brought on behalf of
11 Plaintiffs Gary Allen, David Samuelson and Anthony Spradlin, including Plaintiffs' individual
12 PAGA claims. This Court further approves the release by Plaintiffs of any claims and potential
13 claims as set forth in the Settlement Agreement, including, but not limited to, any claims against
14 Defendant for wages under the FLSA.

15 Neither this Order, nor any other documents or information relating to the settlement of
16 this action shall constitute, be construed to be, or be admissible in any proceeding as evidence:
17 (a) that any group of similarly situated or other employees exists to maintain a collective action
18 under the FLSA, or a class action under Rule 23 of the Federal Rules of Civil Procedure, or
19 comparable state laws or rules, including but not limited to California Code of Civil Procedure
20 §382, and California Labor Code § 2699 *et seq* (PAGA); (b) of an adjudication of the merits of
21 this case or that any party has prevailed in this case; or (c) that the Defendants or others have
22 engaged in any wrongdoing.

23 **IT IS SO ORDERED.**

24 Dated: April 10, 2014

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Troy L. Nunley
United States District Judge