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16 **IN THE UNITED STATES DISTRICT COURT**  
 17 **NORTHERN DISTRICT OF CALIFORNIA**

18 Gina McKeen-Chaplin, individually, ) Case No. 4:10-cv-05243-SBA  
 19 on behalf of herself and all others )  
 20 similarly situated, )

21 Plaintiff, )

**~~PROPOSED~~ ORDER AND FINAL JUDGMENT**

22 v. )

23 Franklin American Mortgage Company )  
 24 and DOES 1-50, inclusive, )

25 Defendants. )

26 \_\_\_\_\_ )

1 This matter is before the Court on the Parties' Joint Motion to Approve Settlement ("Joint  
2 Motion"), seeking approval of the settlement of the above-captioned action for unpaid  
3 compensation under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201, *et seq.* and also  
4 under the California Labor Code and the California Business and Professions Code (the "State  
5 Law Claims"), and to dismiss the case, with prejudice. Having reviewed the Parties' Joint  
6 Motion and considered the entire record in this Action, and otherwise for good cause shown,  
7 IT IS HEREBY ORDERED THAT:

8 1. This Order and Final Judgment incorporates by reference the definitions set forth  
9 in the Joint Motion, and all terms used herein shall have the same meaning as set forth in the  
10 Joint Motion.

11 2. This Court has jurisdiction over the subject matter of this Action and over the  
12 parties to this Action.

13 3. All terms and conditions of the settlement as described and set forth in the Joint  
14 Motion are approved. The Court finds that the terms of the settlement and the releases that have  
15 been executed by the individual Plaintiffs are fair, reasonable, and adequate. The Court also  
16 finds that the terms of the settlement of this Action were the result of good faith, arms-length  
17 negotiations by the parties, and that the terms of the settlement represent a reasonable  
18 compromise of disputed claims and issues arising from a bona fide dispute of the FLSA claims  
19 and the State Law Claims.

20 4. This Action and all of the Released Claims are hereby dismissed, with prejudice.  
21 Except as otherwise provided in the Joint Motion, the Parties are to bear their own costs and fees.

22 8. Without affecting the finality of this Order and Final Judgment in any way, this  
23 Court hereby retains continuing jurisdiction for the limited purpose of ensuring the  
24 implementation and enforcement of the terms of the settlement.

25  
26 5/20/13

27   
28 Hon. Sandra Brown Armstrong