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8	UNITED STATES DISTRICT COURT
9	NORTHERN DISTRICT OF CALIFORNIA
10	SAN JOSE DIVISION
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12	JUAN CARLOS CUELLAR, et al.,) Case No.: C 08-5020 PVT
13	Plaintiffs, ORDER Confirming Fairness of Settlement of Martin Alatorre's
14	v.) and Cesar Alatorre's Flsa Claims Against Defendants; and
15	CROWNE HOSPITALITY, LLC, et al., ORDER DISMISSING CASE
16	Defendants.)
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18 19	On July 1, 2010, this count issued on and an action a building schoolule reconding the fairness
20	On July 1, 2010, this court issued an order setting a briefing schedule regarding the fairness of the settlement of Martin Alatorre's and Cesar Alatorre's FLSA claims against Defendants. Those
21	parties filed their respective briefs. Based on the briefs and the file herein,
22	IT IS HEREBY ORDERED that the settlement between Defendants and the Plaintiffs Cesar
23	Alatorre and Martin Alatorre is approved by the court. In light of the <i>bona fide</i> dispute among the
24	settling parties regarding the number of hours actually worked, the settlement represents a reasonable
25	compromise. See, Lynn's Food Stores, Inc., 679 F. 2d at 1355 ("If a settlement in an employee
26	FLSA suit does reflect a reasonable compromise over issues, such as FLSA coverage or computation
27	of back wages, that are actually in dispute[,] the district court [may] approve the settlement in
28	order to promote the policy of encouraging settlement of litigation").
	Order, page 1

Defendants' failure to make a timely payment under these settlement agreements did not void the agreements. Paragraph 9 of each agreement provides the remedy for a failure to make timely payments, which is for Plaintiffs to file a motion to enforce the agreement and seek entry of judgment against Defendants.

IT IS HEREBY ORDERED that, in light of the courts approval of all Plaintiffs' settlements with Defendants, this case is DISMISSED with prejudice. The court retains jurisdiction to enforce the terms of the parties' settlement agreements.

Dated: 10/29/10

PATRICIA V. TRUMBULL United States Magistrate Judge