

United States District Court
Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

HONORATO DE LEON,
Plaintiff,
v.
CHECKPOINT TECHNOLOGIES LLC,
Defendant.

Case No. [15-cv-02655-NC](#)
ORDER TO SHOW CAUSE
Re: Dkt. No. 9

Plaintiff Honorato De Leon filed a notice of settlement regarding this wage and hour case brought under the Fair Labor Standard Act, California state labor laws, and California’s Unfair Competition Law. Dkt. Nos. 9 (Notice of Settlement), 1 (Complaint). De Leon states that he settled this matter with defendants and that a request of dismissal will be filed within 30 days. Dkt. No. 9.

Settlements of FLSA claims, however, require approval from the Court or the Secretary of Labor. Luo v. Zynga Inc., No. 13-cv-00186 NC, Dkt. No. 34, 2014 WL 457742, at *2 (N.D. Cal. Jan. 31, 2014) (“A district court presented with a proposed settlement of FLSA claims must determine whether the settlement is a fair and reasonable resolution of a bona fide dispute.”) (internal quotation marks and citation omitted).

Accordingly, the parties are ordered to produce the settlement agreement and show cause why the Court should approve the settlement agreement and dismiss the case. The parties are further ordered either to file the settlement agreement publicly or else to show
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cause why the settlement agreement should be filed under seal under Civil Local Rule 79-5. The parties must file their response to this Order within 14 days.

Additionally, this Court ordered the parties to file a consent or declination to proceed before a magistrate judge by July 29, 2015. Dkt. No. 8. The parties have not done so. The Court orders De Leon and defendant Checkpoint Technologies to file a consent or declination form by August 12, 2015.

IT IS SO ORDERED.

Dated: August 5, 2015



NATHANAEL M. COUSINS
United States Magistrate Judge