

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Action No. 13-cv-03429-REB-CBS

MARIE ACOSTA, individually and on behalf of others similarly situated,

Plaintiff,

v.

HEALTHCARE SERVICES GROUP, INC.,

Defendant.

ORDER APPROVING SECTION 216(b) SETTLEMENT

Blackburn, J.

The matter before me is the parties' **Amended Joint Motion for Approval of Settlement Agreement and Dismissal of Prejudice** [#81],¹ filed November 7, 2014. Having considered the motion, its concomitant supporting materials, and the record, I conclude that the settlement terms negotiated by the parties and described in their Stipulation and Agreement of Compromise, Settlement, and Release Pursuant to Section 216(b) of the FLSA (the "Settlement Agreement") (attached as Exhibit A to the motion) are a fair and reasonable resolution of a bona fide dispute between the named plaintiff and defendant Healthcare Services, Group Inc. ("HSCG") and that the attorney fees requested therein are reasonable. Thus, I will grant the motion and approve the

¹ "[#81]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing and system (CM/ECF). I use this convention throughout this order.

parties' settlement of the individual FLSA claims made in this lawsuit.²

THEREFORE, IT IS ORDERED as follows:

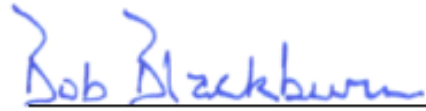
1. That the parties' **Amended Joint Motion for Approval of Settlement Agreement and Dismissal of Prejudice** [#81], filed November 7, 2014, is **GRANTED**;
2. That the settlement of the individual claims of named plaintiff, Marie Acosta, and the 21 opt-in plaintiffs is **APPROVED**;
3. That all claims of the named plaintiff and the 21 opt-in plaintiffs under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, are **DISMISSED WITH PREJUDICE**;
4. That no costs are **ASSESSED** against defendant;
5. That execution of this Order **IS STAYED** pending approval of similar motions to approve the settlements reached in **Cox v. Healthcare Services Group, Inc.** (N.D. Ohio Case No. 3:13-cv-00293-JZ) and **Bowman v. Healthcare Services Group, Inc.**, (N.D. Ohio Case No. 3:13-cv-1924-JZ);
6. That following approval of the motions in **Cox** and **Bowman**, the parties **ARE DIRECTED** to implement the terms of the Settlement Agreement; and
7. That within **eleven (11) days** of the approval of the last such motion in the parallel cases, the parties **SHALL FILE** a joint status report apprising the court of the resolution of this matter so that the case may be closed and judgment may be entered; provided conversely, if approval is not granted in one or both of the parallel cases, the parties **SHALL FILE** within **eleven (11) days** of the denial of such relief a joint status

² Understanding that the settlement of this case is dependent on the approval of the Joint Motions to Approve §216(b) Action Settlement in **Cox v. Healthcare Services Group, Inc.** (N.D. Ohio Case No. 3:13-cv-00293-JZ) and **Bowman v. Healthcare Services Group, Inc.**, (N.D. Ohio Case No. 3:13-cv-1924-JZ), this Order will be stayed until those motions are granted.

report apprising the court of that fact and suggesting what further action should be taken in light of such circumstances.

Dated December 12, 2014, at Denver, Colorado.

BY THE COURT:

A handwritten signature in blue ink that reads "Bob Blackburn". The signature is written in a cursive style with a horizontal line underneath the name.

Robert E. Blackburn
United States District Judge