

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

ALBERT HERNANDEZ,

Plaintiff,

v.

Case No: 2:13-cv-727-FtM-38DNF

FBC GRANITE FT MYERS LLC,  
FBC GRANITE DISTRIBUTION,  
LLC, FBHC CONCEPT  
CORPORATION, EURICO ALTOE-  
FILHO AND DANIEL FEIERTAG,

Defendants.

---

**ORDER**<sup>1</sup>

This matter comes before the Court on Joint Notice of Settlement ([Doc. #24](#)) filed on March 5, 2014. This matter was brought under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201m *et seq.*, for recovery of unpaid overtime wages and Florida Law for unpaid wages, breach of contract, and, alternatively, unjust enrichment. ([Doc. #1](#)). The parties have advised the Court that they have settled in this matter in its entirety after mediation, and that Plaintiff’s FLSA claim was not compromised. ([Doc. #24](#)). Since Defendants have agreed to pay Plaintiff all amounts to which he alleges he is entitled under the FLSA in full, without compromise, the Court need not review of the settlement for fairness. See [Lynn’s Food Stores, Inc. v. United States Dep’t of Labor](#), 679 F.2d 1350,

---

<sup>1</sup> Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or Web sites. These hyperlinks are provided only for users’ convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other Web sites, this court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.

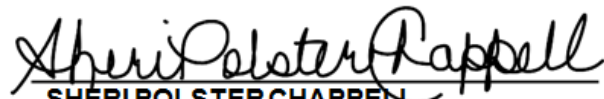
1352 (11th Cir. 1982); [King v. My Online Neighborhood, Inc.](#), No. 6:06-cv-435-Orl-22JGG, 2007 WL 737575, at \*3 (M.D. Fla. Mar. 7, 2007) (“Where the employer offers the plaintiff full compensation on his FLSA claim, no compromise is involved and judicial approval is not required.”) (citation omitted). Therefore, the case is dismissed without need of further court intervention.

Accordingly, it is now

**ORDERED:**

1. Plaintiff’s Complaint ([Doc. #1](#)) is hereby **DISMISSED** with prejudice.
2. The Clerk is directed to enter judgment accordingly, terminate all previously scheduled deadlines and pending motions, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 12th day of March, 2014.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record