

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

MICHAEL BOLES,

Plaintiff,

v.

Case No: 2:16-cv-650-FtM-38MRM

HAVEN FORT MYERS, LLC,
HAVEN HOSPITALITY CONCEPTS,
LLC, EC SQUARED, LLC, CHUCK
THAKKAR, BRAD COZZA, NILOY
THAKKAR and SOLANI THAKKAR,

Defendants.

OPINION AND ORDER¹

This matter comes before the Court on the parties' Joint Notice of Settlement ([Doc. 59](#)), filed on January 29, 2018. Plaintiff brought this action under the Fair Labor Standards Act for the recovery of unpaid wages and minimum wages. ([Doc. 2](#)). The parties now inform the Court that Plaintiff Michael Boles' claims against Defendants have been resolved in full without compromise, with the attorney's fees negotiated separately from the resolution of Plaintiff's claims. ([Doc. 59 at ¶ 3](#)). Consequently, there is no need for the Court to review and approve the settlement for fairness. See *Lynn's Food Stores, Inc. v. U.S. Dep't of Labor*, 679 F.2d 1350, 1352 (11th Cir. 1982).

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. 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 websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. 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.

In addition, [Federal Rule of Civil Procedure 41](#) allows a plaintiff to dismiss an action without a court order by “a stipulation of dismissal signed by all parties who have appeared.” [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(ii\)](#). Here, the parties dismiss this case with prejudice under [Rule 41\(a\)\(1\)\(A\)\(ii\)](#) and provide the Court with a Joint Stipulation for Dismissal signed by all parties. ([Doc. 59](#)).

Accordingly, it is now

ORDERED:

1. This case is **DISMISSED** with prejudice.
2. The Clerk of Court is **DIRECTED** to enter judgment accordingly, terminate all pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 1st day of February, 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record