

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

BAYARDO VILCHEZ,

Plaintiff,

v.

Case No: 2:16-cv-652-FtM-38CM

3F MANAGEMENT, LLC,

Defendant.

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**OPINION AND ORDER**<sup>1</sup>

This matter comes before the Court on Joint Stipulation for Dismissal with Prejudice ([Doc. 27](#)) filed on July 28, 2017.

Plaintiff sued on August 25, 2016 to recover compensation allegedly owed to him under the Fair Labor Standards Act ("FLSA"). ([Doc. 1](#)). On October 27, 2016, Defendant filed its Answer and Affirmative Defenses. ([Doc. 11](#)). The parties now inform the court they have settled Plaintiff's claims in full without compromise. This being the case, the Court need not 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); see also *King v. My Online Neighborhood, Inc.*, No. 6:06-cv-435-Orl-22JGG, 2007 WL 737575, at \*3 (M.D.

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[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.").

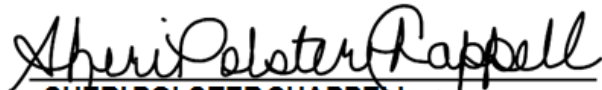
In addition, Rule 41 of the Federal Rules of Civil Procedure allows a plaintiff to dismiss an action without a court order by "a stipulation of dismissal signed by all parties who have appeared." [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(ii\)](#). Here, the parties agree to dismiss this case with prejudice under [Rule 41\(a\)\(1\)\(A\)\(ii\)](#) and have signed the Stipulation for Dismissal ([Doc. 27](#)). The Court thus dismisses this case with prejudice.

Accordingly, it is now

**ORDERED:**

Joint Stipulation for Dismissal with Prejudice ([Doc. 27](#)) is **GRANTED**.

**DONE** and **ORDERED** in Fort Myers, Florida this 31st day of July, 2017.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record