

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JOSE PAVON,

Plaintiff,

v.

Case No: 2:17-cv-294-FtM-38MRM

SLIDER MAN LLC,

Defendant.

ORDER¹

This matter comes before the Court on the parties' Notice of Settlement ([Doc. 8](#)) and Joint Stipulation of Dismissal With Prejudice ([Doc. 9](#)). Less than two months ago, Jose Pavon filed this case to recover overtime wages under the Fair Labor Standards Act, [29 U.S.C. § 207](#). ([Doc. 1](#)). The parties have now resolved Pavon's claims in full without compromise, and they request dismissal of this case with prejudice. ([Doc. 8](#); [Doc. 9](#)). Because the parties have resolved this case without compromise, 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); [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

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compromise is involved and judicial approval is not required.” (citation omitted)). The parties have also separately resolved the matter of attorney’s fees and cost.

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 dismiss this case with prejudice under [Rule 41\(a\)\(1\)\(A\)\(ii\)](#) and have signed the Stipulation for Dismissal. ([Doc. 9](#)). The Court thus dismisses this case with prejudice.

Accordingly, it is now


ORDERED:

(1) The Joint Stipulation of Dismissal With Prejudice ([Doc. 9](#)) is **GRANTED**. The

Court **dismisses with prejudice** the above-captioned case.

(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 6th day of July 2017.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record