

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

DANIELLE LEE CECIL, on behalf of
herself and others similarly situated,

Plaintiff,

vs.

Case No. 3:08-cv-895-J-32MCR

MECHANIX CHOICE, INC., a
Florida Corporation, and PATRICK
J. CLAUDIO, individually.

Defendants.

ORDER

This matter having come before the Court on the plaintiff's¹ Notice Of Settlement (Doc. 18), it is hereby

ORDERED:

1. Inasmuch as this case is brought for alleged unpaid overtime compensation under the Fair Labor Standards Act, as amended, 29 U.S.C. § 216(b), in which plaintiff seeks overtime compensation, liquidated damages, interest and reasonable attorneys' fees and costs, (Doc. 1), the Court must make a finding that any settlement of the case represents "a fair and reasonable resolution of a bona fide dispute over the Act's provisions" after "scrutinizing the settlement for fairness." Lynn's Food Stores, Inc. v. Dep't of Labor, 679 F.2d 1350, 1353, 1355 (11th Cir. 1982). See

¹ While the complaint and other pleadings refer to plaintiff "Danielle Lee Cecil" as a "her" and "herself," (Docs. 1, 2, 10), plaintiff's Notice Of Settlement refers to plaintiff "Daniel Lee Cecil" as "himself." Plaintiff is required to specify the proper party in the papers herein directed to be filed by **May 14, 2009**.

also, Silva v. Miller, No. 08-12011, 2009 WL 73164 (11th Cir. Jan. 13, 2009). The parties shall file no later than **May 14, 2009**, a joint motion for approval of settlement, setting forth the terms of the settlement between them such that the Court may consider whether the settlement “is a fair and reasonable resolution” of the dispute.

2. The deadlines and settings in the Court’s Scheduling Order (Doc. 14) are **VACATED**.

DONE AND ORDERED at Jacksonville, Florida this 16th day of April, 2009.


TIMOTHY J. CORRIGAN
United States District Judge

jl.
Copies to:
Counsel of Record