

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

**SHAWN BECWAR, DANIEL STARR,  
MICHAEL WAGNER, THOMAS JULIUS,  
JAMES SCOTT CIPRI,**

**Plaintiffs,**

**-vs-**

**Case No. 6:08-cv-719-Orl-22DAB**

**ASHTON ORLANDO RESIDENTIAL,  
LLC,**

**Defendant.**

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**ORDER**

This cause is before the Court on the Joint Motion for Approval of Settlement and Dismiss Action with Prejudice (Doc. No. 48) filed on February 20, 2009.

The United States Magistrate Judge has submitted a report recommending that the Motion be granted.

After an independent *de novo* review of the record in this matter, and noting that no objections were timely filed, the Court agrees entirely with the findings of fact and conclusions of law in the Report and Recommendations, with the exception of the amounts designated in the chart. Instead the Court approves the amounts set forth in the Affidavit of Precise Final Distribution of Settlement Funds (Doc. No. 50). The Court finds that settlement in the amount of **\$6,452.00 to Shawn Becwar** for unpaid wages and liquidated damages, of **\$9,289.51 to Daniel Starr** for unpaid wages and liquidated damages, of **\$7,369.01 to James Scott Cipri** for unpaid wages and liquidated damages, of **\$3,355.03 to Thomas Julius** for unpaid wages and liquidated damages, of **\$2,630.77 to Michael Wagner** for unpaid wages and liquidated damages, and

**\$7,195.00 for attorney's fees and costs** is a fair and reasonable resolution of a bona fide dispute over Fair Labor Standards Act issues.

Therefore, it is **ORDERED** as follows:

1. The Report and Recommendation filed March 26, 2009 (Doc. No. 52) is **ADOPTED** and **CONFIRMED** and made a part of this Order, except as to the distribution of the settlement funds contained therein.

2. The Joint Motion for Approval of Settlement and Dismiss Action with Prejudice (Doc. No. 48) is **GRANTED**.

3. The settlement as set forth above is hereby **APPROVED** and this case is hereby **DISMISSED WITH PREJUDICE**.

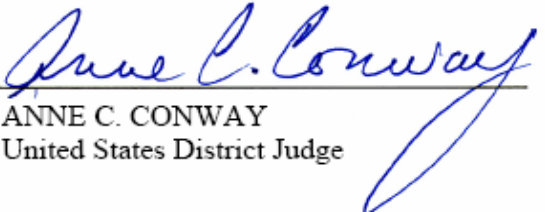
4. The Unopposed Motion to consolidate for the Purpose of Effectuating Settlement Confirmation (Doc. No. 45) is **DENIED** as moot.

5. The Clerk is directed to **CLOSE** the file.

**DONE** and **ORDERED** in Chambers, in Orlando, Florida on March 16, 2009.

Copies furnished to:

United States Magistrate Judge  
Counsel of Record

  
ANNE C. CONWAY  
United States District Judge