

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

**WELLINGTON HEAD, on his own behalf
and other similarly situated,**

Plaintiff,

-vs-

Case No. 6:08-cv-917-Orl-22KRS

**V&L SERVICES III, INC., JAMES VAN
HART, ALONZO LINGO,**

Defendants.

ORDER

This cause is before the Court on the Joint Motion for Approval of Settlement and Motion for Dismissal With Prejudice (Doc. No. 61) filed on September 16, 2009.

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

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.

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

1. The Report and Recommendation filed October 2, 2009 (Doc. No. 65) is **ADOPTED** and **CONFIRMED** and made a part of this Order.

2. The Joint Motion for Approval of Settlement and Motion for Dismissal With Prejudice (Doc. No. 61) is granted in part and denied in part.

3. The Court finds that the settlements as to Wellington Head, Michael Henderson, Elijah Bouie, Edward Britt, Zaira Betancourt, Philip Fowler, and Ricky Cross are fair and reasonable resolutions of bona fide disputes regarding the Fair Labor Standards Act, and approves same.

4. The Court declines to make a determination as to the reasonableness of the settlement as to James Brown, who is not a party in this case.

5. The Court declines to reserve jurisdiction to enforce the settlement agreements.

6. Plaintiffs' counsel is prohibited from withholding any portion of the amount payable to Plaintiffs under the settlement agreements or taking steps to collect any amount from Plaintiffs for payment of attorney's fees and costs under a retainer agreement or otherwise.

7. Plaintiffs' counsel is directed to provide a copy of this Order to each Plaintiff.


8. This case is **DISMISSED WITH PREJUDICE**.

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

DONE and **ORDERED** in Chambers, in Orlando, Florida on October 25, 2009.

Copies furnished to:

Counsel of Record



ANNE C. CONWAY
United States District Judge