

FLYNN v. W.G. Yates & Sons Construction Company Doc 17

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

MARK FLYNN,

Plaintiff,

-vs-

Case No. 6:08-cv-1614-Orl-18DAB

**W.G. YATES & SONS CONSTRUCTION
COMPANY,**

Defendant.

ORDER

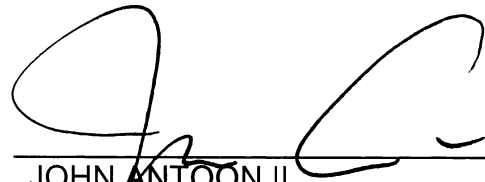
This case is before the Court on Plaintiff's Notice of Settlement (Doc. No. 8) filed January 20, 2009. The United States Magistrate Judge has submitted a report recommending that the motion be granted in part and denied in part.

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

1. That the Report and Recommendation filed February 27, 2009 (Doc. No. 13) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. The settlement is approved, in part, as follows: Plaintiff shall receive \$9,541.85 and Plaintiff's counsel shall receive \$2,500.00 for fees and \$458.15 for costs. No part of Plaintiff's recovery is to be used to augment the fee allowance. This settlement is a fair and reasonable settlement of a bona fide dispute under the Fair Labor Standards Act.
3. This case is dismissed with prejudice.

4. The Clerk is directed to close this case.

DONE and **ORDERED** in Chambers, Orlando, Florida this 18 day of March,
2009.



JOHN ANTOON II
United States District Judge

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party