

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

**DALE E. FREDERICK, SHERRY A.
CLARK, BRONSON R. BUTTERSON,
CLIFFORD W. DYE, JOHNNY D. GREER,
PAM BURNS, BRIAN ZIMMERMAN and
JIMMY L. ARON,**

Plaintiffs,

-vs-

Case No. 6:09-cv-946-Orl-31KRS

**SUNBELT PAINTING CORPORATION,
LEROY ZALLENICK and DONNA
HEATT,**

Defendants.

ORDER

This cause comes before the Court on Joint Motion to Review and Approve FLSA Settlements and Dismiss Action with Prejudice (Doc. No. 35) filed July 20, 2010.

On August 27, 2010, the United States Magistrate Judge issued a report (Doc. No. 41) recommending that the motion be granted in part. No objections have been filed. Therefore, it is

ORDERED as follows:

1. The Report and Recommendation is **CONFIRMED** and **ADOPTED** as part of this Order.
2. The Joint Motion to Review and Approve FLSA Settlements and Dismiss Action with Prejudice is **GRANTED IN PART**. The settlement is approved as a “fair and reasonable resolution of a bona fide dispute.”

3. In accordance with the Settlement Agreement, Defendants shall pay \$14,464.00 to Plaintiffs. Counsel for Plaintiffs are prohibited from withholding any portion of the amount payable to Plaintiffs under the settlement agreement pursuant to a contingent fee agreement or otherwise.

4. Counsel for Plaintiffs shall provide a copy of this order to Plaintiffs and file with the court proof of such service.

5. This case is **DISMISSED** with prejudice. The Court will not reserve jurisdiction to enforce a settlement agreement. The Clerk is directed to close this file.

DONE and ORDERED in Chambers, Orlando, Florida on the 13th day of September, 2010.



GREGORY A. PRESNELL
UNITED STATES DISTRICT JUDGE

Copies furnished to:

United States Magistrate Judge
Counsel of Record
Unrepresented Party