

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

KIMBERLY GOODWIN and ASHLEY TADEN,

Plaintiffs,

v.

CASE NO. 6:11-CV-1912-Orl-36KRS

BIG 'UNS RESTAURANT GROUP, INC., C&P  
RESTAURANT GROUP, INC., d/b/a Firehouse  
Subs, FIREHOUSE RESTAURANT GROUP,  
INC., FIREHOUSE SUBS, INC., FIREHOUSE  
SUBS, LLC, FIREHOUSE SUBS SYSTEM FUND  
INC., and DAVID L. HAUSE,

Defendants.

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**ORDER**

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Karla J. Spaulding, on March 28, 2012 (Doc. 11). In the Report and Recommendation, Judge Spaulding recommends that the Court grant in part the parties' Joint Motion to Approve Settlement and Release Agreement and Dismiss with Prejudice Plaintiff's Amended Complaint, filed on March 22, 2012 (Doc. 10). Neither party has objected to the Report and Recommendation and the time to do so has expired. As such, this matter is ripe for review.

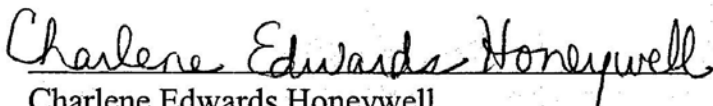
After careful consideration of the Report and Recommendation of the Magistrate Judge, in conjunction with an independent examination of the court file, the Court is of the opinion that the Magistrate Judge's Report and Recommendation should be adopted, confirmed, and approved in all respects. The Court is satisfied that the settlement reached between the parties is a "fair and reasonable resolution of a bona fide dispute" of the claims raised pursuant to the Fair Labor

Standards Act. *See Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1355 (11th Cir.1982); 29 U.S.C. § 216.

Accordingly, it is hereby **ORDERED and ADJUDGED**:

1. The Report and Recommendation of the Magistrate Judge (Doc. 11) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.
2. The parties' Joint Motion to Approve Settlement and Release Agreement and Dismiss with Prejudice Plaintiff's Amended Complaint (Doc. 10) is **GRANTED in part**. The Settlement is **APPROVED**, as it constitutes a fair and reasonable resolution of a bona fide dispute. However, counsel is prohibited from withholding any of the amounts payable to Plaintiffs under the Settlement Agreement under a contingent fee agreement or otherwise.
3. Plaintiffs' counsel shall provide a copy of the Report and Recommendation and this Order to Plaintiffs.
4. The Court declines to reserve jurisdiction to enforce the settlement agreement.
5. This action is **DISMISSED**, with prejudice.
6. The Clerk is directed to terminate any pending motions and deadlines and close this case.

**DONE AND ORDERED** at Orlando, Florida on April 12, 2012.

  
Charlene Edwards Honeywell  
United States District Judge

**COPIES TO:**  
COUNSEL OF RECORD