

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

DIANA COLON,

Plaintiff,

v.

Case No: 6:12-cv-1907-Orl-36GJK

ORLANDO ORTHOPAEDIC CENTER, M.D.,
P.A.,,

Defendant.

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ORDER

This cause comes before the Court upon the Report and Recommendation filed by Magistrate Judge Gregory J. Kelly on June 19, 2013 (Doc. 26). In the Report and Recommendation, Judge Kelly recommends that the Court grant the parties' Joint Motion for Approval of Settlement and Entry of an Order of Dismissal (Doc. 25), and dismiss this case with prejudice. Doc. 26, p. 6. On June 20, 2013, the parties filed a Joint Notice of No Objection to the Report and Recommendation (Doc. 27).

The Court agrees with the Magistrate Judge that settlement in the amount of \$3,609.00 to Plaintiffs for overtime wages and liquidated damages and \$5000.00 for attorneys' fees and costs is reasonable under the circumstances of this case. Doc. 26, pp. 4-5.¹ The Court is satisfied that the settlement reached is a "fair and reasonable resolution of a bona fide dispute" of the claims raised pursuant to the Fair Labor Standards Act ("FLSA"). *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1354 (11th Cir. 1982); 29 U.S.C. § 216. Therefore, after careful

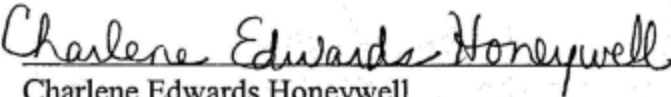
¹ Indeed, because Plaintiff is actually receiving \$1,804.50 in unpaid overtime wages and an equal amount of liquidated damages under the parties' agreement (Doc. 25-Ex, 1, p. 2), she is receiving slightly more than full compensation for her claims.

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.

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

1. The Report and Recommendation of the Magistrate Judge (Doc. 26) is adopted, confirmed, and approved in all respects and is made a part of this order for all purposes, including appellate review.
2. The Joint Motion for Approval of Settlement and Entry of an Order of Dismissal (Doc. 25) is **GRANTED**. The Settlement (Doc. 25-Ex. 1) constitutes a fair and reasonable resolution of a bona fide dispute.
3. This action is **DISMISSED**, with prejudice. The Clerk is directed to terminate any pending motions and deadlines and close this case.

DONE and ORDERED in Orlando, Florida on June 24, 2013.


Charlene Edwards Honeywell
United States District Judge

Copies furnished to:
Counsel of Record
Unrepresented Parties
U.S. Magistrate Judge Gregory J. Kelly