

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

DEBRA MONSERRATE; KELLY  
BIRCHELL; SHAWN CRAFT; VIVIAN  
EDWARDS; BILL FABER; SUSAN  
O'HEARN; FARRELL PRUDENT;  
PAMELA WARD; LAURA M. SMITH;  
AMY FERNANDEZ; ARNELLA  
MOORE; ANTOINETTE ELKINS;  
KAREN ANNUNZIATA; STEPHANIE  
FRANCIS; BEVERLY GILCHRIST;  
NICOLE ELLINGTON; MAYRA FELIX;  
TARYN HICKS; GREG MAYBACH;  
ELLISON ARIAS; ROBIN  
HODGEKINSON-PRICE; LYDIA  
MARRON; SARA YASTE; DALE  
EASTERWOOD; GALO PATRICK  
FLORES; ALEXANDRA VARDY;  
WILMA SANTA; ERIN NORMAN;  
SUSIE ANDERSON; MIKAELA  
DELPHA; VALARIE STROUD; SARA  
BULLARD; MICHAEL MILTON; JAVIER  
PASTRANA; BRENDA J. WILLIAMS;  
BARBARA BUTLER; DEBRA  
GUTIERREZ; DEEPIKA PATEL;  
NATALIE BOURNE; LONNIECE  
SCOTT; BRIAN DONIVAN; KEITH  
SMITH; AMY FRAHER; CHRISTINA  
MANSER; DIANNE MATHENY;  
ELIZABETH WALLING; JENNIFER  
ASHCRAFT; KAREN  
ANDREAS-MOSES; KATHRYN DAVIS;  
LISA MORGAN; MARIA LAPAN;  
STEPHANIE ANELLO; DAWN  
COLLINS ,

Plaintiffs,

v.

Case No. 6:14-cv-149-Orl-37GJK

HARTFORD FIRE INSURANCE  
COMPANY,

Defendant.

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## ORDER

This cause is before the Court on the following:

1. The parties' Joint Motion for Approval of Settlements of Arbitration Claims and Incorporated Memorandum of Law (Doc. 257), filed August 2, 2016;
2. U.S. Magistrate Judge Gregory J. Kelly's Report and Recommendation (Doc. 259), filed September 23, 2016; and
3. The parties' Joint Notice of No Objection to Magistrate's Report and Recommendation for Joint Motion for Approval of Settlements of Arbitration Claims (Doc. 260), filed September 26, 2016.

In the instant collective action, a multitude of plaintiffs assert violations of the Fair Labor Standards Act ("**FLSA**") against Defendant. (See Doc. 51.) Of these plaintiffs, Defendant maintained that the claims of Carmen Flores,<sup>1</sup> Susan O'Hearn, and Farrell Prudent ("**Arbitration Plaintiffs**") were subject to arbitration and moved for dismissal of such claims. (See Doc. 68.) Upon consideration, the Court granted Defendant's motion and ordered the Arbitration Plaintiffs to arbitrate their claims against Defendant individually. (Doc. 85.)

On July 27, 2016, Defendant notified the Court that it had reached settlement agreements ("**Agreements**") with each of the Arbitration Plaintiffs. (Doc. 256; *see also* Docs. 257-1, 257-2, 257-3.) The parties then jointly moved for approval of such Agreements. (Doc. 257 ("**Motion for Approval**").)

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<sup>1</sup> Carmen Flores was not named as a plaintiff in the most recent amended complaint and was terminated as party shortly after it was filed. (See Doc. 51.)

In a well-reasoned Report and Recommendation, U.S. Magistrate Judge Gregory J. Kelly recommends that the Court approve the Agreements. (Doc. 259 (“**R&R**”).) Magistrate Judge Kelly also recommends that the Court deny the portion of the Motion for Approval which requests that the Court retain jurisdiction to enforce the Agreement. (*Id.*) On September 26, 2016, Defendant and the Arbitration Plaintiffs jointly filed a notice of no objection to the R&R. (Doc. 259.)

Upon consideration, and in the absence of any objection, the Court finds that the R&R is due to be adopted, confirmed and made a part of this Order. The parties’ Motion for Approval is, therefore, due to be granted to the extent recommended in the R&R.

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

1. Magistrate Judge Gregory J. Kelly’s Report and Recommendation (Doc. 259) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The parties’ Joint Motion for Approval of Settlements of Arbitration Claims and Incorporated Memorandum of Law (Doc. 257) is **GRANTED IN PART AND DENIED IN PART**.
  - a. To the extent the parties request that the Court retain jurisdiction to enforce the Agreements, the Motion is **DENIED**.
  - b. In all other respects, the Motion is **GRANTED**.
3. The Arbitration Plaintiffs’ claims against Defendant are **DISMISSED WITH PREJUDICE**.

**DONE AND ORDERED** in Chambers in Orlando, Florida, on October 3, 2016.



  
ROY B. DALTON JR.  
United States District Judge

Copies:

Counsel of Record