

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

KAITLYNN MCCAFFETY,

Plaintiff,

v.

Case No. 6:14-cv-1217-Orl-37KRS

SPECIALTY MOTOR SALES, LLC; and
JAMES MILLS,

Defendants.

ORDER

This cause is before the Court on the following:

1. Plaintiff's Motion to Approve Settlement and Enter a Stipulated Judgment Dismissing the Case (Doc. 9), filed October 6, 2014; and
2. Magistrate Judge Karla R. Spaulding's Report and Recommendation (Doc. 10), filed October 9, 2014.

The parties to this Fair Labor Standards Act ("FLSA") minimum-wage action move for approval of their settlement agreement. (Doc. 9.) In a well-reasoned Report and Recommendation ("R&R"), Magistrate Judge Spaulding recommends approving the settlement agreement. (Doc. 10.) Neither party has objected to the R&R, and the period for doing so has expired. See Fed. R. Civ. P. 72(b)(2).

Upon consideration, the Court finds that the R&R is due to be adopted and confirmed and made a part of this Order. The parties' motion for approval of the settlement agreement is therefore due to be granted as well. However, the Court construes the release addressed in the settlement agreement (see Doc. 9-1, pp. 1-2) as a release only of those FLSA claims that were or could have been raised based on the facts alleged in

the Complaint (Doc. 1). Any broader construction would undermine the goals of the FLSA and would render the settlement agreement unenforceable. See *Moreno v. Regions Bank*, 729 F. Supp. 2d 1346, 1351 (M.D. Fla. 2010) (“Although inconsequential in the typical civil case (for which settlement requires no judicial review), an employer is not entitled to use an FLSA claim (a matter arising from the employer’s failing to comply with the FLSA) to leverage a release from liability unconnected to the FLSA.”).

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

1. Magistrate Judge Karla R. Spaulding’s Report and Recommendation (Doc. 10) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
2. Plaintiff’s Motion to Approve Settlement and Enter a Stipulated Judgment Dismissing the Case (Doc. 9) is **GRANTED**.
3. The parties’ Settlement Agreement and Release (Doc. 9-1) is **APPROVED** as construed by this Order.
4. This action is **DISMISSED** with prejudice. The Clerk is **DIRECTED** to close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on October 27, 2014.



ROY B. DALTON JR.
United States District Judge

Copies:

Counsel of Record