

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JANERIO DWONNE BELL,

Plaintiff,

v.

Case No: 6:16-cv-218-Orl-41TBS

**JAMES C. HALL, INC. and JAMES C.
HALL,**

Defendants.

ORDER

THIS CAUSE is before the Court on the parties' Joint Motion for Approval of Settlement (Doc. 34). United States Magistrate Judge Thomas B. Smith issued a Report and Recommendation (Doc. 35), which recommends that the parties' motion be granted and that the settlement agreement be approved.¹ The parties filed a Joint Notice of No Objection to Report and Recommendation (Doc. 36).

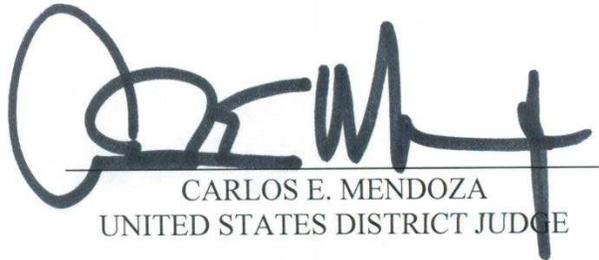
After an independent *de novo* review of the record, this Court agrees with the recommendation.

Therefore, it is **ORDERED** and **ADJUDGED** as follows:

¹ Apart from releasing the pending Fair Labor Standards Act ("FLSA") claims, the parties appear to have separately agreed to a general release, thereby releasing a myriad of non-pending claims. In exchange for this general release, each plaintiff is to receive \$857.15—consideration which is separate from that being given in exchange for the settlement of plaintiffs' FLSA claims. Pursuant to *Lynn's Food Stores, Inc. v. U.S.*, this Court must determine whether a proposed settlement "is a fair and reasonable resolution of a bona fide dispute *over FLSA provisions*." 679 F.2d 1350, 1355 (11th Cir. 1982) (emphasis added). Moreover, "the release of non-FLSA claims is generally not subject to judicial scrutiny." *Shearer v. Estep Const., Inc.*, No. 6:14-cv-1658-Orl-41GJK, 2015 WL 2402450, at *3 (M.D. Fla. May 20, 2015). Accordingly, this Court does not express an opinion as to the validity of the general release agreement.

1. The Report and Recommendation (Doc. 35) is **ADOPTED** and **CONFIRMED** and made part of this Order.
2. The Joint Motion for Approval of Settlement (Doc. 34) is **GRANTED**; the parties' Fair Labor Standards Act settlement agreement is **APPROVED**; and this case is **DISMISSED with prejudice**.
3. The Clerk is directed to close this case.

DONE and **ORDERED** in Orlando, Florida on September 21, 2016.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record