

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

MARIA LANDRUA,

Plaintiff,

v.

Case No. 6:16-cv-1866-Orl-37DCI

WORLDGATE VACATIONS LLC; and
AD 1 VACATION TEAM, LLC,

Defendants.

ORDER

Plaintiff initiated the instant action against Defendants for, *inter alia*, allegedly violating the Fair Labor Standards Act (“FLSA”). (See Doc. 1; see also Doc. 16.) On April 21, 2017, Plaintiff filed a Notice of Settlement purporting to notify the Court that the parties had settled this action. (Doc. 22 (“**Notice**”).) Thereafter, the parties jointly moved the court for approval of their proposed settlement in accordance with *Lynn’s Food Stores, Inc. v. U.S. ex rel. U.S. Dep’t of Labor*, 679 F.2d 1350, 1355 (11th Cir. 1982). (Doc. 24 (“**Motion**”); see also Doc. 24-1 (“**Agreement**”).) Upon referral, U.S. Magistrate Judge Daniel C. Irick recommends that the Court grant the Motion and approve the Agreement. (Doc. 25 (“**R&R**”).) On May 9, 2017, the parties filed a joint notice of no objection to the R&R. (Doc. 27.)

In his R&R, Magistrate Judge Irck concludes that under the settlement: (1) the amount Plaintiff will receive as unpaid overtime compensation is fair and reasonable and free of fraud and collusion (“**Settlement Amount**”); (2) the settlement terms do not affect

the reasonableness of the Agreement, as the release is limited to only FLSA claims and does not contain other potentially problematic contractual provisions, such as a confidentiality provision or a non-disparagement clause; and (3) the amount Plaintiff's counsel will receive as attorney fees and costs ("**Fee**") is fair and reasonable, given the parties' representation that the Fee was negotiated separately from the Settlement Amount. (Doc. 25, pp. 3-5.)


In the absence of objections, the Court has examined the R&R for clear error. *See Wiand v. Wells Fargo Bank, N.A.*, No. 8:12-cv-557-T-27EAJ, 2016 WL 355490, at *1 (M.D. Fla. Jan. 28, 2016); *see also Marcort v. Prem, Inc.*, 208 F. App'x 781, 784 (11th Cir. 2006). Finding none, the Court concludes that the R&R is due to be adopted in its entirety.

Accordingly, it is **ORDERED AND ADJUDGED** as follows:

1. U.S. Magistrate Judge Daniel C. Irick's Report and Recommendation (Doc. 25) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The parties Joint Motion to Approve FLSA Settlement and to Dismiss with Prejudice (Doc. 24) is **GRANTED**.
3. The parties' FLSA Settlement Agreement (Doc. 24-1) is **APPROVED**.
4. This action is **DISMISSED WITH PREJUDICE**.
5. The Clerk is **DIRECTED** to close the file.

DONE AND ORDERED in Chambers in Orlando, Florida, on May 11, 2017.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record