

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JASON MANES,

Plaintiff,

v.

Case No. 6:17-cv-40-Orl-37GJK

GETTINGS PRODUCTIONS, INC.,

Defendant.

ORDER

Plaintiff initiated this action against his former employer, alleging that it failed to pay him overtime and minimum wage compensation in violation of: (1) the Fair Labor Standards Act (“**FLSA**”); and (2) the Florida Minimum Wage Act. (Doc. 1.) On April 6, 2017, Defendant notified the Court that the parties had agreed to “a full and final settlement” of this action. (Doc. 16.) Thereafter, the parties jointly moved for approval of their operative settlement agreement pursuant to *Lynn’s Food Stores, Inc. v. United States ex rel. United States Department of Labor*, 679 F.2d 1350 (11th Cir. 1982). (Doc. 20, pp. 1-8 (“**Motion**”); *see also id.* at 9-29 (“**Agreement**”).) On referral, U.S. Magistrate Judge Gregory J. Kelly recommended that the Court grant the Motion and approve the Agreement (Doc. 21 (“**R&R**”)), and, thereafter, the parties filed a joint notice of no objection (Doc. 22).

In his R&R, Magistrate Judge Kelly concludes that under the Agreement: (1) the amount Plaintiff will receive as unpaid wages, overtime wages, liquidated damages, and

interest (“**Settlement Amount**”) is fair and reasonable; and (2) 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. 21, pp. 5–6.)


Absent 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 Gregory J. Kelly’s Report and Recommendation (Doc. 21) is **ADOPTED, CONFIRMED**, and made a part of this Order.
2. The parties’ Joint Motion for Approval of the Revised FLSA Settlement and Incorporated Memorandum of Law (Doc. 20, pp. 1–8) is **GRANTED**.
3. The parties’ operative Settlement Agreement (Doc. 20, pp. 9–29) 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 23, 2017.




ROY B. DALTON JR.
United States District Judge

Copies to:
Counsel of Record