

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

JENNIFER HALL,

Plaintiff,

v.

CASE NO.: 8:10-cv-841-T-23TGW

B & L CREMATION SYSTEMS, INC.,
and STEVEN LOOKER,

Defendants.

ORDER

The plaintiff sues (Doc. 1) for unpaid overtime compensation due under the Fair Labor Standards Act, 29 U.S.C. § 201 et seq. (the “FLSA”). The parties move (Doc. 16) for approval of a settlement agreement and dismissal with prejudice of the plaintiff’s claim. See Lynn’s Food Stores, Inc. v. United States, 679 F.2d 1350 (11th Cir. 1982) (requiring review and approval by the district court of an FLSA settlement); Dees v. Hydradry, Inc., ___ F. Supp. 2d ___, 2010 WL 1539813 (M.D. Fla. Apr. 19, 2010).

The defendants paid the plaintiff \$9.50 per hour from March, 2009, to mid-June, 2009, and \$10.50 per hour from mid-June, 2009, to December, 2009. Even though the plaintiff worked more than forty hours each week, the defendant failed to pay the plaintiff at a rate one and a half times her regular rate of pay, as required by the FLSA. The plaintiff estimates that she worked approximately thirty-two hours of overtime, for which the defendant failed to properly compensate her. In settling the plaintiff’s claim, the defendant agrees to pay the total amount of overtime compensation sought by the plaintiff, in addition to \$500 in liquidated damages and \$500 for attorneys’ fees and costs. The settlement contains neither a general release nor a confidentiality

agreement. However, the plaintiff agrees to dismiss her FLSA claim with prejudice. Additionally, the parties represent that the parties agreed to the amount for fees and costs "separately and without regard to the amount paid to settle Hall's claim"

Accordingly, the settlement agreement (Doc. 16-1) is **APPROVED** as a fair and reasonable settlement of the plaintiff's claim. This action is **DISMISSED WITH PREJUDICE**, and the Clerk is directed to (1) terminate any pending motion and (2) close the case.

ORDERED in Tampa, Florida, on July 28, 2010.



STEVEN D. MERRYDAY
UNITED STATES DISTRICT JUDGE