

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION

**WILLIAM MARCHIONE, Individually
and on behalf of others similarly situated,**

Plaintiff,

v.

Case No. 8:11-cv-2606-T-30TGW

PEPSICO, INC., et al.,

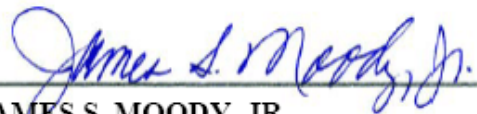
Defendants.

ORDER

The Court has been advised via a Joint Report Regarding Settlement and Notice of Settlement (Dkt. #27) that the above-styled action has been settled. Accordingly, pursuant to Local Rule 3.08(b), M.D.Fla., it is

ORDERED AND ADJUDGED that this cause is hereby **DISMISSED** without prejudice and subject to the right of the parties, within *sixty (60) days* of the date of this order, to submit a stipulated form of final order or judgment should they so choose **or** for any party to move to reopen the action, *upon good cause shown*. After that 60-day period, however, dismissal shall be with prejudice. This Court retains jurisdiction during and after the sixty (60) day period to determine the reasonableness of Plaintiffs' attorney's fees and costs. **No party (or their counsel) shall make any payment of fees or costs without prior authorization or approval from this Court.** All pending motions, if any, are **DENIED** as moot. The Clerk is directed to close the file.

DONE and ORDERED in Tampa, Florida on June 12, 2012.



JAMES S. MOODY, JR.
UNITED STATES DISTRICT JUDGE

Copies to:
Counsel/Parties of Record

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