

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 16-60918-CIV-SEITZ/TURNOFF

AMADO VALE,

Plaintiff,

vs.

J&J POOL AND BEACH SERVICES, INC.
and JOSEPH POU,

Defendants.

**ORDER ADOPTING REPORT AND RECOMMENDATION OF MAGISTRATE JUDGE
AND DISMISSING CASE WITH PREJUDICE**

THIS MATTER is before the Court upon the Report and Recommendation on Joint Motion for Approval and Dismissal with Prejudice [DE-61] entered by Magistrate Judge Turnoff and the parties' Joint Motion for Approval of Settlement Agreement and Dismissal with Prejudice [DE-59]. On September 15, 2016, Magistrate Judge Turnoff conducted a fairness hearing on the parties' settlement of this Fair Labor Standards Action and determined that the compromise reached by the parties, including the resolution of costs and attorneys' fees, was a "fair and reasonable" outcome of the parties' bona fide dispute under *Lynn's Food Stores, Inc. v. U.S.*, 679 F.2d 1350 (11th Cir.1982). Therefore, upon review, it is hereby

ORDERED that

- (1) Magistrate Judge Turnoff's Report and Recommendation [DE-12] is AFFIRMED and ADOPTED.
- (2) The parties' Joint Motion for Approval of Settlement Agreement and Dismissal with Prejudice [DE-59] is GRANTED.

- (3) All pending motions not otherwise ruled upon are DENIED AS MOOT.
- (4) This case is DISMISSED WITH PREJUDICE and this case is CLOSED.

DONE and ORDERED in Miami, Florida, this 17th day of October, 2016.



PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

cc: Counsel of Record
Magistrate Judge Turnoff