

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA**

**CASE NO. 24-61409-CIV-SMITH**

PASCALE MENARD,

Plaintiff,

vs.

MALIBU LOVE & CARE HEALTHCARE  
AGENCY, INC.,  
*et al.*,

Defendants.

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**ORDER AFFIRMING AND ADOPTING  
REPORT OF MAGISTRATE JUDGE**

This matter is before the Court upon the Magistrate Judge's Report and Recommendation [DE 45], on the Parties' Motion for Approval of the Parties' FLSA Settlement Agreement and for Dismissal with Prejudice ("Motion") [DE 43]. In the Report and Recommendation, the Magistrate Judge recommends approving the settlement agreement between Plaintiff and Defendant and dismissing the case against Defendant with prejudice. The parties submitted to the Court for approval their Settlement Agreement ("Settlement Agreement").

The Magistrate Judge found that the Settlement Agreement, which specified the portion of the settlement amount to be paid to Plaintiff and the amounts designated for attorney's fees and costs, to be a fair and reasonable resolution of a *bona fide* FLSA dispute. The Magistrate Judge recommends that the Motion be granted. No party has filed Objections to the Magistrate Judge's Report and Recommendation. Having reviewed, *de novo*, the Magistrate Judge's Report and Recommendation to District Judge and the record, and given that no party has filed Objections, it is

**ORDERED** that:

- 1) The Report and Recommendation to District Judge [DE 45] is **AFFIRMED and ADOPTED** and incorporated by reference into this Court's Order.
- 2) The Joint Motion for Approval of the Parties' FLSA Settlement Agreement and for Dismissal with Prejudice [DE 43] is **GRANTED**.
- 3) The Court shall retain jurisdiction of this matter until December 31, 2026.
- 4) This case is **DISMISSED with prejudice** as to Defendants Malibu Love & Care Healthcare Agency, Inc., and Gino Ray Parram.

**DONE and ORDERED** in Fort Lauderdale, Florida, this 10th day of March 2025.

A handwritten signature in black ink, appearing to read "Rodney Smith", is written over a horizontal line.

**RODNEY SMITH**  
**UNITED STATES DISTRICT JUDGE**

cc: Counsel of record