

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 09-20170-CIV-O'SULLIVAN
[CONSENT]

DIOMEDES CABRERA and all other
similarly situated under 29 USC 216(B),

Plaintiff,

vs.

27 of MIAMI CORPORATION d/b/a
AUTO WORLD OF MIAMI,
MARIALINA MARTINEZ,
AMBROSINA S. MARTINEZ,

Defendants.

ORDER APPROVING SETTLEMENT AGREEMENT AND CLOSING CASE

THIS MATTER came before the Court *sua sponte* following notice from the parties that the case has settled and the Court having conducted a hearing concerning the settlement.

THE COURT has heard from counsel and considered the terms of the Settlement Agreement, the pertinent portions of the record, and is otherwise fully advised in the premises.

This case involves a claim for unpaid overtime compensation under the Fair Labor Standards Act, 29 U.S.C. §201, et seq ("FLSA"), among others. In reviewing a settlement of an FLSA private claim, a court must "scrutiniz[e] the settlement for fairness," and determine that the settlement is a "fair and reasonable resolution of a bona fide dispute over FLSA provisions." Lynn Food Stores v. United States, 679 F.2d 1350, 1352-53 (11th Cir. 1982).

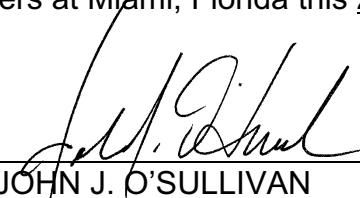
The Court finds that the compromise reached by the parties under the terms of

the Settlement Agreement is a fair and reasonable resolution of the parties' bona fide disputes. Accordingly, it is

ORDERED AND ADJUDGED that the parties' Settlement Agreement (including attorney's fees and costs) is hereby APPROVED and the case is DISMISSED with prejudice.

The Clerk of Court is directed to mark this case as CLOSED.

DONE AND ORDERED in Chambers at Miami, Florida this **21st** day of April, 2010.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies to:
All counsel of record