

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 09-23238-CIV-SEITZ/O'SULLIVAN

**CLOSED
CIVIL
CASE**

FELIPE GOMEZ,

Plaintiff,

v.

NEW YORK ROMA PIZZA & PASTA #7 INC.,
NEW YORK ROMA PIZZA & CATERING, INC.,
and THOMAS EUVIN,

Defendants.

**ORDER ADOPTING FINDINGS OF MAGISTRATE JUDGE
AND DISMISSING CASE WITH PREJUDICE**

THIS MATTER is before the Court upon the Order Approving Settlement Agreement and Recommending that this Case be Dismissed with Prejudice [DE-26] entered by Magistrate Judge O'Sullivan. On February 18, 2010, Magistrate Judge O'Sullivan 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 disputes 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 O'Sullivan's findings are ADOPTED.
- (2) All pending motions not otherwise ruled upon are DENIED AS MOOT.
- (3) The Court shall retain jurisdiction of this matter to enforce the terms of the settlement

until March 1, 2011.

(4) Based on the parties consent, all matters regarding enforcement of the settlement are REFERRED to Magistrate Judge O'Sullivan.

(5) This case is DISMISSED WITH PREJUDICE and this case is CLOSED.

DONE AND ORDERED in Miami, Florida, this 19^R day of February, 2010.



PATRICIA A. SEITZ
UNITED STATES DISTRICT JUDGE

cc: All Counsel of Record/*Pro se* parties