

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA
CASE NO. 10-20168-CIV-SEITZ/O'SULLIVAN

TIMOTHY S. HELMICK,

Plaintiff,

vs.

COMMUNITY ASPHALT CORP.,

Defendant.

ORDER

THIS MATTER is before the Court on the parties' Joint Motion to Approve Settlement Agreement and to Dismiss Case with Prejudice (DE# 40, 9/21/10). Having been advised that the parties have reached a settlement, it is

ORDERED AND ADJUDGED that a fairness hearing pursuant to Lynn Food Stores v. United States, 679 F.2d 1350 (11th Cir. 1982) is set before the undersigned on **Monday, September 27, 2010, at 2:45 PM**, at the C. Clyde Atkins United States Courthouse, 301 North Miami Avenue, 5th Floor, Miami, Florida 33128. **The parties shall be prepared to discuss the terms of the settlement agreement and the reasonableness of plaintiff's counsel's fees.** Request for continuance of this cause shall not be considered unless addressed to this Court in the form of a written motion. **The parties shall promptly notify the undersigned's Chambers if they wish to attend this hearing by telephone.**

DONE AND ORDERED in chambers at Miami, Florida this **22nd** day of September, 2010.



JOHN J. O'SULLIVAN
UNITED STATES MAGISTRATE JUDGE

Copies provided to:
United States District Judge Seitz
All counsel of record