

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

CASE NO. 19-23821-CIV-ALTONAGA/Goodman

BLAS RAMON AQUINO,

Plaintiff,

v.

MASTEC, INC., et al.,

Defendants.

ORDER

THIS CAUSE came before the Court on Magistrate Judge Goodman’s Report and Recommendations on FLSA Settlement [ECF No. 27], entered on September 2, 2020. The parties seek approval of their Settlement Agreement and General Release (the “Agreement”) [ECF No. 22-1],¹ which includes a provision for the award of attorney’s fees. The Report recommends the Court find “the parties’ settlement agreement is fair and reasonable, approve the settlement, and dismiss this action with prejudice.” (Report 3). The Report also recommends the Court “reserve jurisdiction to enforce the terms of the parties’ settlement, close the case, and deny all pending motions as moot.” (*Id.* (bold omitted)). The parties did not object to the Report. The Court agrees with the Report’s recommendations. Accordingly, it is

ORDERED AND ADJUDGED as follows:


1. The Report and Recommendations on FLSA Settlement [ECF No. 27] is **ADOPTED**.

¹ The Agreement contains a confidentiality provision. (*See* Agreement ¶ 6). Where the Court must approve a settlement, the agreement becomes a part of the judicial record, and therefore may not be deemed confidential even if the parties so consent. *See Jessup v. Luther*, 277 F.3d 926, 929–30 (7th Cir. 2002). Accordingly, parties may not submit a settlement agreement under seal or seek its review *in camera* unless there is a compelling interest in secrecy. *See id.* at 928. While paragraph 6 of the Agreement seems to indicate the parties seek to maintain the Agreement’s confidentiality, the parties did not file the Agreement under seal, so it appears on the public docket.

CASE NO. 19-23821-CIV-ALTONAGA/Goodman

- The parties' Joint Motion Requesting Order Approving Settlement Agreement and to Dismiss Lawsuit with Prejudice [ECF No. 22] is **GRANTED**.
2. The Settlement Agreement and General Release [ECF No. 22-1] between Plaintiff, Blas Ramon Aquino, and Defendants, MasTec, Inc., MasTec North America, Inc., and MasTec Services Company, Inc., which has been duly filed as a record of the Court, is **APPROVED** in its entirety.
 3. This case is **DISMISSED with prejudice**, with each party to bear its own costs and attorney's fees except as otherwise agreed.
 4. All pending motions are **DENIED as moot**.
 5. The Court retains jurisdiction to enforce the terms of the Settlement Agreement and General Release

DONE AND ORDERED in Miami, Florida, this 8th day of September, 2020.



CECILIA M. ALTONAGA
UNITED STATES DISTRICT JUDGE

cc: counsel of record