

FILED  
U.S. DISTRICT COURT  
SAVANNAH DIV.

2019 DEC 19 PM 4:25

IN THE UNITED STATES DISTRICT COURT FOR  
THE SOUTHERN DISTRICT OF GEORGIA  
SAVANNAH DIVISION

CLERK   
SO. DIST. OF GA.

DIXIE BROWN,	)	
	)	
Plaintiff,	)	
	)	
v.	)	CASE NO. CV417-202
	)	
PONTUS LLC and IVAYLO	)	
DIMITRIV,	)	
	)	
Defendants.	)	
_____	)	


O R D E R

Before the Court is the parties' Stipulation of Dismissal. (Doc. 30.) Typically, a plaintiff may dismiss an action by filing "a stipulation of dismissal signed by all parties who have appeared." Fed. R. of Civ. P. 41(a)(1)(A)(ii). In this case, however, the parties' stipulation is improper at this time.

In her complaint, Plaintiff Brown brought suit seeking damages arising from an alleged sexual assault, employment discrimination under Title VII of the Civil Rights Act, and violations of the Fair Labor Standards Act ("FLSA"). (Doc. 10.) Because Plaintiff's complaint sought recovery for violations of the FLSA, this Court must first review any proposed settlement terms before this action can be properly dismissed. See Dees v. Hydradry, Inc., 706 F. Supp. 2d 1227, 1231 (M.D. Fla. 2010) ("Although a private

settlement and stipulation for dismissal ends the typical case without judicial intervention, the Eleventh Circuit requires the district court to review the settlement of an FLSA claim.”) (citing Lynn’s Food Stores, Inc. v. United States, 679 F.2d 1350 (11th Cir. 1982)). As a result, the parties are not able to stipulate to the dismissal of Plaintiff’s FLSA claims without this Court first reviewing any proposed settlement agreement reached by the parties. Accordingly, the parties are **DIRECTED** to file within **twenty-one days** from the date of this order either the proposed settlement agreement for this Court’s review or a brief detailing why the parties should not have to file a proposed settlement for the Court’s review.

SO ORDERED this 19<sup>th</sup> day of December 2018.

  
WILLIAM T. MOORE, JR.  
UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF GEORGIA