

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF INDIANA
HAMMOND DIVISION**

RICHARD A. KERLEY, et al.,)	
)	
Plaintiffs,)	
)	
vs.)	2:20CV369-PPS/JEM
)	
THE METHODIST HOSPITALS, INC.,)	
)	
Defendant.)	

OPINION AND ORDER

The matter is before the Court on the parties' Joint Motion to Approve Settlement of FLSA and Wage Hour Complaint. [DE 30.] The motion sets forth the following circumstances relevant to the parties' joint proposal. Only two individuals filed their consents to become co-plaintiffs in what was originally filed as a proposed collective action under §216(b) of the Fair Labor Standards Act. Early in the proceedings, Methodist Hospitals produced records demonstrating the policies and practices that allowed over 1,800 employees to be paid for all time worked, contrary to the allegations of the complaint concerning unpaid meal breaks.

I will grant the joint request for leave to file an Amended Complaint reflecting a change from a collective action to one brought by three named plaintiffs. I am persuaded that the three plaintiffs and defendant have engaged in arm's-length negotiations undertaken in good faith by competent and experienced counsel. The settlement represents a compromise of disputed issues on which serious questions exist,

such that the value of an immediate recovery outweighs the possibility of further relief after protracted and expensive further litigation. The settlement is fair and reasonable.

ACCORDINGLY:

The parties' Joint Motion to Approve Settlement of FLSA and Wage Hour Complaint [DE 30] is GRANTED.

The request for leave to file the Amended Complaint attached to the Joint Motion as Exhibit A is GRANTED, and the Clerk is directed to detach and file the Amended Complaint as of the date of this order.

The parties' settlement is APPROVED, and after the filing of the Amended Complaint, the case is DISMISSED WITH PREJUDICE pursuant to the settlement agreement.

SO ORDERED.

ENTERED: December 14, 2021.

/s/ Philip P. Simon
PHILIP P. SIMON, JUDGE
UNITED STATES DISTRICT COURT