

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

)	
ORVAL J. HOSKINSON, JR. and DAVID)	
UHLER,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 08-2300
)	
BLUE SKY SATELLITE SERVICES, INC.,)	
)	
Defendant.)	
)	

MEMORANDUM AND ORDER

Plaintiffs Orval J. Hoskinson, Jr. and David Uhler filed a complaint against Defendant Blue Sky Satellite Services, Inc. seeking overtime pay pursuant to the Fair Labor Standards Act. The Complaint was filed on behalf of all others similarly situated, but no other individual opted in as a plaintiff.

Although the parties dispute the existence, nature, and extent of Defendant’s liability, they have reached a resolution of this case. The parties now seek this court’s approval of their Joint Stipulation of Settlement and Release (Doc. 43, Ex. A), which provides for total payments to the Plaintiffs of \$25,000 and attorneys’ fees to Plaintiffs’ legal counsel in the amount of \$136,000. In filing this Joint Stipulation with the court, the parties submit that it represents lengthy, intensive arms-length negotiations and that the terms are fair, adequate, and reasonable.

The court has reviewed the joint stipulation and finds its terms to be fair, adequate, and reasonable. The court has also reviewed the supplemental briefing (Docs. 47-50) filed by Plaintiffs to explain the award of attorneys' fees. After carefully evaluating the declarations by Plaintiffs' counsel, the court is comfortable that the award of attorneys' fees is reasonable in this case. The hourly rates charged by counsel appear appropriate given the experience of counsel and the average rates charged in this legal market. Additionally, the fees being awarded to Plaintiffs' counsel match the fees Defendant's attorneys billed their client. Thus, the court will approve the full amount of attorneys' fees awarded to Plaintiffs.

IT IS THEREFORE ORDERED BY THE COURT that the settlement fully and finally resolving the above-captioned case is approved. The case shall be dismissed in its entirety, with prejudice, in accordance with the terms of the joint stipulation. Plaintiffs shall advise the Court as to dismissal in accordance with the terms of the joint stipulation.

IT IS SO ORDERED this 24th day of March, 2009.

s/ John W. Lungstrum _____
John W. Lungstrum
United States District Judge