

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

**LIZETTE MARA PEGUES,** )  
**On behalf of herself and all others** )  
**similarly situated,** )  
) )  
**Plaintiff,** )  
) )  
**vs.** )  
) )  
**CARECENTRIX, INC.,** )  
) )  
**Defendant.** )  
\_\_\_\_\_ )

**Case No. 12-CV-2484-CM**

**MEMORANDUM AND ORDER**

Plaintiff Lizette Pegues, on behalf of herself and all others similarly situated, brought this action under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.* On May 6, 2013, this Court entered its Memorandum and Order (Doc. 24) granting, in part, plaintiff’s Motion for Conditional Class Certification Under § 216(b) of the FLSA. This matter is now before the Court on the parties’ Joint Motion to File Settlement Agreement Under Seal (Doc. 33) and the parties’ Joint Motion to Approve Settlement and to Dismiss This Action, With Prejudice. (Doc. 34).

Since this action was filed, two plaintiffs opted-in.

The court is satisfied that the litigation involves a bona fide dispute and that the proposed settlement is fair and equitable to all parties concerned. Accordingly, the court hereby approves the Settlement Agreement. For purposes of settlement, the Court certifies, pursuant to Section 216(b) of the FLSA, a collective action consisting of plaintiff Pegues and the individual plaintiffs who have opted into this action, Javonda Wiley and Gina Plomboy.

**IT IS THEREFORE ORDERED** that the parties’ Joint Motion to File Settlement Agreement Under Seal (Doc. 33) is granted. Consistent with the e-filing procedures of this Court, the clerk’s office is directed to grant all attorneys of record in this case the ability to view this sealed document.

**IT IS FURTHER ORDERED** that the parties' Joint Motion to Approve Settlement and to Dismiss This Action, With Prejudice is granted. (Doc. 34).

**IT IS FURTHER ORDERED** that the parties are directed to promptly file a stipulation of dismissal, at which time the Court will dismiss this action with prejudice, each party to bear her or its own costs.

Dated this 23<sup>rd</sup> day of January, 2014, at Kansas City, Kansas.

**s/ Carlos Murguia**  
**CARLOS MURGUIA**  
**United States District Judge**