

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF KANSAS

RICHARD FRICK on behalf of himself and  
other similarly situated individuals,

Plaintiffs,

vs.

Case No. 13-2490-JTM

HENRY INDUSTRIES, INC.,

Defendant.

MEMORANDUM AND ORDER

This FLSA collective action alleging unpaid overtime compensation has been resolved by agreement, and the matter is before the court on the plaintiffs' motion for an order approving the Settlement Agreement (Dkt. 249-5) and otherwise resolving the issues in the case. Having reviewed the pleadings, the court hereby certifies the collective action for settlement purposes, and approves the Settlement Agreement and its provisions as fair, appropriate and reasonable.

The court finds that the aggregate payment by defendant Henry Industries is fair and reasonable; the proposed allocation of the settlement proceeds is also fair, reasonable and appropriate. (Dkt. 249-8). Accordingly, the court hereby directs distribution of settlement notice to plaintiffs (Dkt. 249-1), and disbursement of settlement funds to plaintiffs who do not opt-out of the settlement.

In addition, the court approves payment of \$53,333.33 in attorney fees to class counsel, \$26,228.29 for expenses, and \$2000 as plaintiff Frick's service payment.

The Motion for Settlement Approval by Plaintiff (Dkt. 248) is granted.

IT IS SO ORDERED this 3rd day of January, 2018.

s/ J. Thomas Marten  
J. THOMAS MARTEN, JUDGE