

**UNITED STATES DISTRICT COURT  
DISTRICT OF MAINE**

_____	)	
PAMELA WALKER,	)	
	)	
PLAINTIFF,	)	
	)	
v.	)	Docket No. 2:15-cv-00059-NT
	)	
LAW OFFICES HOWARD LEE	)	
SCHIFF, P.C.,	)	
	)	
DEFENDANT.	)	
_____	)	

**ORDER APPROVING SETTLEMENT AGREEMENT**

Presently pending before the Court is the parties’ Joint Motion for Judicial Approval of Settlement Agreement. The parties have requested court-sanctioned approval of their settlement agreements because some of the Plaintiff’s claims in this matter, based on alleged unpaid overtime, arise under the Fair Labor Standards Act (“FLSA”) and various courts have held that, absent approval by the Secretary of Labor, the parties require judicial approval of their stipulated settlement in order for the plaintiff to waive her claims under the FLSA. See, e.g., *Lynn’s Food Stores, Inc. v. United States*, 679 F.2d 1350, 1352 – 53 (11th Cir. 1982); *Manning v. New York University*, 2001 U.S. Dist. LEXIS 12697, \*35 (S.D.N.Y. 2001); *Le v. Sita Information Networking Computing USA*, 2008 U.S. Dist. LEXIS 46174 (E.D.N.Y. 2008). See also *Urbino v. Puerto Rico Ry. Light & Power Co.*, 164 F.2d 12, 14 (1st Cir. 1947).

The Court has conducted an in camera review of the parties’ settlement agreement, set forth in a Confidential Settlement Agreement and Release, which was reached during the course of a Judicial Settlement Conference, as well as the representations of counsel regarding the payments made under the terms of the settlement agreements. Based upon the Court’s review of

the terms of the settlement agreements and the circumstances involved in this matter, the Court is satisfied that the settlement agreements reflect a fair and reasonable compromise of disputed claims, and that the agreements are not a mere waiver of statutory rights resulting from an employer's overreaching behavior. See *Lynn's Food Stores, Inc.*, 679 F.2d 1350, 1354; *Le*, 2008 U.S. Dist. LEXIS 46174.

Accordingly, the Court hereby ORDERS that the terms of the settlement agreement between the parties in this matter are approved and that the Plaintiff has validly waived her claims in this matter, including but not limited to her claims arising under the FLSA, as a result of the terms of the parties' settlement agreement.

The Court further ORDERS that the parties file an appropriate stipulation of dismissal, as set forth in the separate settlement agreements between the parties, within 10 days of the date of this Order.

SO ORDERED.

/s/ Nancy Torresen  
United States Chief District Judge

Dated this 7th day of March, 2016.