

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

---

JEAN D. WEATHERLY, *et al.*

v.

MICHAEL FOODS, INC., M.G.  
WALDBAUM COMPANY, and ADVANCE  
SERVICES, INC.

---

:  
:  
:  
: 8:08-cv-00153-JFB-TDT  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:  
:

**ORDER**

**AND NOW**, this 15<sup>th</sup> day of April, 2009, upon consideration of the Plaintiff’s  
“Unopposed Motion for Approval of the Settlement” (“Approval Motion”) (Doc. 66), the  
accompanying and fully executed Confidential Settlement Agreement and Release  
 (“Agreement”), the accompanying Memorandum of Law, and all other papers and proceedings  
herein, **IT IS HEREBY ORDERED** that:

1. The Approval Motion is **GRANTED** and the accompanying Agreement is **APPROVED** as a fair and reasonable resolution of this action under Section 16(b) of the Fair Labor Standards Act, 29 U.S.C. §216(b), the provisions of said Agreement being expressly made a part of this Order;
2. Attorneys Peter Winebrake and Robert E. DeRose are appointed to serve as co-lead counsel for purposes of representing all settlement participants during any and all further proceedings relating to the settlement; and
3. This action is **DISMISSED WITH PREJUDICE AS SETTLED**, although this Court shall retain jurisdiction over this action for purposes of overseeing and/or

resolving any disputes arising from the implementation or administration of the settlement terms.

BY THE COURT:

**s/ Joseph F. Bataillon**  
Chief District Judge