

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

HAYLEY BACON,

Plaintiff,

v.

DOLGENCORP, INC.,

Defendant.

CASE NO. 8:10CV155

ORDER

BRIAN BURNS

Plaintiff,

v.

DOLGENCORP, INC.,

Defendant.

CASE NO. 8:10CV156

ORDER

LONNY EVANS,

Plaintiff,

v.

DOLGENCORP, INC.,

Defendant.

CASE NO. 8:10CV157

ORDER

DEBRA MEREDITH,

Plaintiff,

v.

DOLGENCORP, INC.,

Defendant.

CASE NO. 8:10CV158

ORDER

THERESA CARLIN,
Plaintiff,
v.
DOLGENCORP, INC.,
Defendant.

CASE NO. 8:10CV159

ORDER

NANCY NEWTON,
Plaintiff,
v.
DOLGENCORP, INC.,
Defendant.

CASE NO. 8:10CV160

ORDER

DONALD ROBINSON,
Plaintiff,
v.
DOLGENCORP, INC.,
Defendant.

CASE NO. 8:10CV161

ORDER

LACHELLE ROBINSON,
Plaintiff,
v.
DOLGENCORP, INC.,
Defendant.

CASE NO. 8:10CV162

ORDER

ANN RUMBAUGH,)	CASE NO. 8:10CV163
)	
Plaintiff,)	
)	
v.)	ORDER
)	
DOLGENCORP, INC.,)	
)	
Defendant.)	

This matter is before the Court on the Joint Motion for Order Approving Individual Settlements (Case No. 8:10CV155, Filing No. 60), filed by Defendant Dolgencorp, Inc. The Motion asks the Court to approve the settlement agreements entered into between Plaintiffs Hayley Bacon (Case No. 8:10CV155), Brian Burns (Case No. 8:10CV156), Lonny Evans (Case No. 8:10CV157), Debra Meredith (Case No. 8:10CV158), Theresa Carlin (Case No. 8:10CV159), Nancy Newton (Case No. 8:10CV160), Donald Robinson (Case No. 8:10CV161), Lachelle Robinson (Case No. 8:10CV162), and Ann Rumbaugh (Case No. 8:10CV163) ("Plaintiffs") and Defendant Dolgencorp, Inc. (collectively referred to herein as "Parties"). These individual settlement agreements relate to the Plaintiffs' rights to damages under the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 201 *et seq.*

The Parties note in their Joint Motion that the Eighth Circuit has recognized that a court must approve an agreement that settles a claim under the FLSA. *See Copeland v. ABB, Inc.*, 521 F.3d 1010, 1014 (8th Cir. 2008) (citing *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1353 (11th Cir. 1982)); *Lynn's Food Stores*, 679 F.2d at 1353 ("If a settlement in an employee FLSA suit does reflect a reasonable compromise over issues, such as FLSA coverage or computation of back wages, that are actually in dispute; we allow the district court to approve the settlement"). "When employees bring a private action

for back wages under the FLSA, and present to the district court a proposed settlement, the district court may enter a stipulated judgment after scrutinizing the settlement for fairness.” *Id.* at 1353 (citing *Schulte, Inc. v. Gangi*, 328 U.S. 108, 113 (1946)).

The Parties have not presented their individual settlement agreements to the Court so that the Court can subject them to the required scrutiny. However, the Parties have stated that, if the Court requests them to do so, they are willing to file the settlement agreements under seal for an *in camera* inspection. The Court requests that the Parties file their agreements with the Court. Accordingly,

IT IS ORDERED:

On or before Wednesday, November 30, 2011, the Parties are directed to:

1. File a Motion to Seal pursuant to NECivR 7.5(a)(i); and
2. File separately, as provisionally sealed documents pursuant to NECivR 7.5(a)(ii), the individual settlement agreements for which the Parties are seeking Court approval.

DATED this 23rd day of November, 2011.

BY THE COURT:

S/Laurie Smith Camp
United States District Judge