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UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

ADAM SCHUVEILLER and LINDSEY
SHAFFER, as individuals, and on behalf
of all others similarly situated

Plaintiffs,

v.

KUHN PHYSICAL THERAPY, LLC, a
Nevada Limited Liability Company

Defendant.

CASE NO.: 3:17-cv-00331-MMD-WGC

~~PROPOSED~~ **ORDER GRANTING
JOINT MOTION FOR SETTLEMENT
APPROVAL**

Plaintiffs Adam Schuveiller and Lindsey Schaffer, on behalf of themselves and others similarly-situated who have opted into this matter (“Plaintiffs”), commenced this action on behalf of themselves and those similarly-situated against Defendant Kuhn Physical Therapy, LLC, d/b/a Premier Physical Therapy & Sports Performance (“Defendant”), seeking unpaid wages and overtime compensation under the Fair Labor Standards Act (“FLSA”). The Parties have agreed to settle this action upon the terms presented in the Settlement Agreement reached between them, and placed before this Court in the Parties Joint Motion for Settlement Approval and the exhibits thereto (“Joint Motion”). Having carefully reviewed the Joint Motion and supporting materials, the Settlement Agreement, and having reviewed and determined that the proposed settlement was reached in good faith, meeting the requirements of fairness, adequacy and reasonableness, the Court hereby **GRANTS** the joint motion and orders as follows:

1. The Court finds that the Settlement Agreement is within the range of reasonableness of an FLSA settlement.
2. The proposed settlement amount paid to the Plaintiffs of \$68,287.52 is fair and reasonable, will avoid substantial costs, delay and risks that would be presented by the further prosecution of the litigation, and has been reached as the result of arms-length, non-coercive, and non-collusive negotiations between the Parties.

1 3. The Court has reviewed Plaintiffs' Counsel's request for the payment of attorney's
 2 fees and costs in the amount of \$41,712.48. As set forth in the Settlement Agreement, the payment
 3 of fees and costs will be paid separately to Plaintiffs' Counsel and said payments will not reduce
 4 the amounts paid to the Plaintiffs under the terms of this settlement. The court finds that the
 5 amount of attorney's fees sought by Plaintiffs' Counsel are fair and reasonable. The Court further
 6 finds that the hourly rate sought by Plaintiffs' Counsel of \$600 an hour is a reasonable hourly rate
 7 in this community for similar work performed by attorneys of comparable skill, experience and
 8 reputation and therefore approves this hourly rate for Plaintiffs' Counsel. Accordingly, the Court
 9 approves an award of attorney's fees to Plaintiffs' Counsel in the amount of \$41,256. The court
 10 also finds that the costs requested by Plaintiffs' Counsel in the amount of \$456.48 were reasonable
 11 and properly incurred in the prosecution of this action on behalf of the Plaintiffs. Accordingly,
 12 the Court approves the request for costs in the amount of \$41,712.48.

13 4. Accordingly, the Court approves the Parties' settlement as set forth in the
 14 Settlement Agreement reached between them, and certifies the Collective Action for settlement
 15 purposes only. Pursuant to the procedure set forth in the Settlement Agreement, Defendant will
 16 deliver checks in the following amounts for each of the Plaintiffs, less applicable withholdings,
 17 and Plaintiffs' Counsel, to Plaintiffs' Counsel within 10 calendar days of the signing of this Order:

18	Adam Schuveiller	\$11,077.79	\$ 11,077.79	\$ 22,155.58
	Eric Tom	\$ 8,454.23	\$ 8,454.23	\$ 16,908.46
19	Sean-Patrick Wall	\$ 4,925.27	\$ 4,925.27	\$ 9,850.54
	Lindsey Shaffer	\$ 7,095.38	\$ 7,095.38	\$ 14,190.76
20	Leticia Ayala	\$ 870.14	\$ 870.14	\$ 1,740.28
	Chris Misank	\$ 879.25	\$ 879.25	\$ 1,758.50
21	Kelley Cullen	\$ 276.89	\$ 276.89	\$ 553.78
	Norma Martinez-Quintana	\$ 118.07	\$ 118.07	\$ 236.14
22	Cassandra Gonzalez	\$ 257.81	\$ 257.81	\$ 515.62
23	Jesus Quintero, Jr.	\$ 137.73	\$ 137.73	\$ 275.46
	Brandon Jara-Martinez	\$ 51.20	\$ 51.20	\$ 102.40
24	TOTALS	\$34,143.76	\$ 34,143.76	\$ 68,287.52
25	Charles A. Jones Esq.			\$ 41,712.48

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 27 5. Within 5 business days after the delivery of the checks in the amounts noted above
 28 to Plaintiffs' Counsel, the Parties will jointly submit an order of dismissal of this action with

1 prejudice.

2 6. This Order is entered pursuant to the Settlement Agreement of the Parties and is
3 intended to effectuate the settlement more fully described in the Settlement Agreement reached
4 between them and Joint Motion seeking approval of the same.

5 7. The Court maintains continuing jurisdiction to adjudicate any matters related to
6 this Order.

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8 **IT IS SO ORDERED.**

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Dated: March 8, 2018

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UNITED STATES DISTRICT JUDGE

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