UNITED STATES DISTRICT COURT EASTERN DISTRICT OF NEW YORK

CLARENCE McCARY, THOMAS FLOWERS, and SCOTT FLEMING

Plaintiffs,

MASPETH SUPPLY CO. LLC, JOHN DOE 1

- versus -

and JOHN DOE 2

Defendants.

ORDER

13-cv-5508

JOHN GLEESON, United States District Judge:

In this action, plaintiffs allege, inter alia, that defendants failed to pay overtime in violation of the Fair Labor Standards Act ("FLSA"). On December 6, 2013, plaintiffs filed a Notice of Voluntary Dismissal, pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). ECF No. 6. It is this court's understanding that settlements of FLSA claims require judicial approval. See Wolinsky v. Scholastic Inc., 900 F. Supp. 2d 332, 334 (S.D.N.Y. 2012). Judicial approval of settlements of FLSA claims is necessary whether such a settlement results in a voluntary dismissal of claims under Rule 41(a)(1)(A)(i) or a stipulation of dismissal pursuant to Rule 41(a)(1)(A)(ii). Accordingly, if this notice of voluntary dismissal was filed based on a settlement agreement, the parties are ordered to electronically file a copy of the agreement and to show cause why the agreement should not be filed publicly by December 13, 2013.

So ordered.

John Gleeson, U.S.D.J.

Dated: December 9, 2013 Brooklyn, New York