

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

ADOLFO PATRICIO AGAPITO et al.,  
Plaintiffs,

-v-

AHDS BAGEL LLC et al.,  
Defendants.

16-CV-8170 (JPO)

ORDER

J. PAUL OETKEN, District Judge:

The Court has been notified that the parties have reached a settlement in this Fair Labor Standards Act (“FLSA”) case, and two related cases, and they have submitted a proposed settlement for the Court’s approval. (Dkt. No. 139.) The proposed settlement involves \$35,000 to be allocated *pro rata* to the various plaintiffs in connection with their FLSA claims. (*Id.* at 5.) One-third of the settlement sum will be collected in attorney’s fees (after deducting costs). (*See id.* at 6.)

The Court has reviewed the terms of the proposed settlement and finds that they are fair and reasonable under *Cheeks v. Freeport Pancake House, Inc.*, 796 F.3d 199, 203, 206 (2d Cir. 2015). To that end, the proposed settlement at Docket Number 139 is approved.

Plaintiffs’ submission notes that the proposed settlement has yet to be executed. Accordingly, Plaintiffs are directed to file an executed settlement agreement on or before May 10, 2020.

SO ORDERED.

Dated: April 10, 2020  
New York, New York

  
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J. PAUL OETKEN  
United States District Judge