

USDC SDNY DOCUMENT ELECTRONICALLY FILED DOC #: DATE FILED: 9/19/2022
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UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DANIEL TAVERAS,

Plaintiff,

-against-

P.J. CLARKE’S AT LINCOLN CENTER, LLC (d/b/a P.J.  
CLARKE’S), PHILIP SCOTTI, ODALA DOE, AND PEPE  
DOE,

Defendants.

1:20-cv-9693-MKV

ORDER

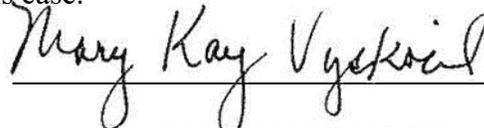
MARY KAY VYSKOCIL, United States District Judge:

The Parties have informed the Court that this case has been settled in principle [ECF No. 24] (the “Settlement Letter”) and have filed copies of the proposed settlement agreement and documentation supporting the fairness of the settlement. [ECF No. 24-1, ECF No. 24-2]. The Court has reviewed these documents for fairness in accordance with the Fair Labor Standards Act and Second Circuit law. *See, e.g., Cheeks v. Freeport Pancake House*, 796 F.3d 199 (2d Cir. 2015). Considering the totality of the circumstances, the Court finds that the settlement is fair and reasonable and is the product of arm’s length negotiations by parties represented by experienced counsel. The settlement agreement is the product of private arbitration. *See* Settlement Letter at 1, ECF No. 13. The settlement amount is reasonable, in part, because, before attorney’s fees, the settlement compensates Plaintiff for more than the amount of his claim for unpaid overtime compensation, based on the allegations in the complaint. *See* Settlement Letter at 2. It should be noted, however, that the Court is not in this endorsement opining specifically on the reasonableness of the rates charged by the attorney representing Plaintiff.

Accordingly, the settlement is approved, and the Court ORDERS that the case be dismissed with prejudice. The Clerk of Court is respectfully requested to terminate all pending motions, adjourn any remaining dates, and close this case.

**SO ORDERED.**

**Date: September 19, 2022**  
**New York, NY**

A handwritten signature in cursive script that reads "Mary Kay Vyskocil". The signature is written in black ink and is positioned above a horizontal line.

**MARY KAY VYSKOCIL**  
**United States District Judge**