

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK
MONALISA JOHNSON-CRADLE, on behalf of
herself and all others similarly situated,

Plaintiffs,

-v-

KPS AFFILIATES INC., PPB INC., and TERRY
ENGLISH,

Defendants.

CIVIL ACTION NO.: 22 Civ. 1052 (AS) (SLC)

**ORDER TO SUBMIT SETTLEMENT
MATERIALS**

SARAH L. CAVE, United States Magistrate Judge.

On February 5, 2024, the parties advised the Court that they have reached a settlement in principle, and requested “45 days to reduce their understanding to writing and request approval of the settlement agreement.” (ECF No. 75 (the “Request”)).

This case contains one or more claims arising under the Fair Labor Standards Act. In light of the requirements of Cheeks v. Freeport Pancake House, Inc., 796 F.3d 199 (2d Cir. 2015), the parties must file a joint letter-motion (the “Letter-Motion”) that addresses whether the settlement is fair and reasonable.

The Request is GRANTED. By **March 21, 2024**, the parties shall file the Letter-Motion for the attention of the Honorable Arun Subramanian. The Letter-Motion shall address the claims and defenses, Defendants’ potential monetary exposure and the bases for any such calculations, the strengths and weaknesses of Plaintiffs’ case and Defendants’ defenses, any other factors that justify the discrepancy between the potential value of Plaintiffs’ claims and the settlement amount, the litigation and negotiation process, as well as any other issues that might be pertinent

to the question of whether the settlement is reasonable (for example, the collectability of any judgment if the case went to trial).

The Letter-Motion should also explain the attorney fee arrangement, attach a copy of any retainer agreement, and provide information as to actual attorneys' fees expended (including billing records and costs documentation). Finally, a copy of the settlement agreement itself must accompany the Letter-Motion.

The Clerk of Court is respectfully directed to close ECF No. 75.

Dated: New York, New York
February 5, 2024

SO ORDERED.


SARAH L. CAVE
United States Magistrate Judge