

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO

CHELSEA SCHMALENBERG,)	Case No.: 1:18-CV-99
)	
<i>Plaintiff,</i>)	JUDGE TIMOTHY S. BLACK
)	
vs.)	
)	
DYSPHAGIA MANAGEMENT)	
SYSTEMS, LLC, <i>et al.,</i>)	
)	<u>STIPULATED ORDER AND FINAL</u>
<i>Defendants.</i>)	<u>JUDGMENT</u>

This matter is before the Court on the Parties’ Joint Motion for Approval of Settlement and Stipulation of Dismissal with Prejudice (“Joint Motion”) pursuant to §16(b) of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §216(b). The Joint Motion asks this Court to approve, as fair and reasonable, the proposed settlement reached by the parties and memorialized in the Settlement Agreement and Release (“Settlement”), filed as Exhibit 1 to the Joint Motion.

Having reviewed the Joint Motion, Settlement, and pleadings and papers on file in this action, and for good cause established therein, the Court enters this Stipulated Order and Final Judgment, approving the Settlement as follows:

1. The captioned Lawsuit asserted wage-and-hour claims under the FLSA, 29 U.S.C. §§ 201 et seq., and the Ohio Minimum Fair Wage Standards Act (“OMFWSA”), on behalf of Plaintiff Chelsea Schmalenberg. Defendant Dysphagia Management Systems, LLC (“DMS”) has asserted counterclaims against Plaintiff.
2. The Court finds that the proposed Settlement is fair and reasonable and satisfies the standard for approval under §16(b) of the FLSA, 29 U.S.C. §216(b).

3. The Court approves the Settlement, and orders that the settlement be implemented according to the terms and conditions of the Settlement and as directed herein.

4. The Court dismisses the claims of Plaintiff and counterclaims of Defendant DMS With Prejudice, each party to bear its own costs, and hereby enters final judgment. The Court finds there is no just reason for delay and directs the Clerk of Courts to enter this Stipulated Order and Final Judgment immediately.

IT IS SO ORDERED this 9th day of July, 2019.



Honorable Timothy S. Black
U.S. District Court, SD Ohio

SO STIPULATED:

/s/ Cori R. Besse

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