

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

| | | |
|--|---|--------------------------------------|
| JEFFREY BERGER, individually | : | CIVIL ACTION NO. 1:17-CV-1836 |
| and on behalf of all others similarly | : | |
| situated, | : | (Chief Judge Conner) |
| | : | |
| Plaintiff | : | |
| | : | |
| v. | : | |
| | : | |
| BELL-MARK TECHNOLOGIES | : | |
| CORPORATION, | : | |
| | : | |
| Defendant | : | |

ORDER

AND NOW, this 13th day of May, 2019, upon consideration of the court’s memorandum and order (Docs. 18, 19) denying in part the parties’ joint motion for approval of settlement on the basis that the settlement agreement’s release provision was too broad in scope, thereby impermissibly frustrating implementation of the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.*, (see Doc. 18 at 10-12), and further upon consideration of the parties’ notice (Doc. 20) requesting approval of an amended settlement by and between plaintiff Jeffrey Berger (“Berger”) and defendant Bell-Mark Technologies Corporation (“Bell-Mark”), and it appearing that the amended settlement agreement’s release provision is limited in scope to claims arising out of the facts alleged in the instant litigation and which fall within the ambit of the FLSA and appropriate state law counterparts, (see Doc. 20 at 5 ¶ 7), and the court concluding that the amended settlement agreement now furthers implementation of the FLSA and its objectives in the workplace, it is hereby ORDERED that:

1. The amended settlement agreement (Doc. 20) by and between Berger and Bell-Mark is APPROVED.
2. The Clerk of Court is directed to CLOSE this case.

/S/ CHRISTOPHER C. CONNER
Christopher C. Conner, Chief Judge
United States District Court
Middle District of Pennsylvania