

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

LYNN MARIE POTOSKI and DENISE
GAITERI, on behalf of themselves all
others similarly situated,

Plaintiffs,

v.

WYOMING VALLEY HEALTH CARE
SYSTEM and WILKES-BARRE
GENERAL HOSPITAL,

Defendant.

NO. 3:11-CV-00582

(JUDGE CAPUTO)

ORDER

NOW, this 14th day of January, 2020, upon consideration of the Joint Motion and Incorporated Memorandum of Law for Approval of the Parties' FLSA Settlement Including Attorneys' Fees, Costs and Service Awards (Doc. 199), **IT IS HEREBY ORDERED** that:

- (1) The Joint Motion (Doc. 199) is **GRANTED**, and the accompanying Settlement Agreement (Doc. 199-1) is **APPROVED** as a fair and reasonable resolution of this action under the Fair Labor Standards Act ("FLSA").
- (2) The Parties shall proceed and provide the Notice of Settlement and accompanying Settlement Check to the Participating Settlement Class Members in accordance with the terms of the Settlement Agreement.
- (3) All Participating Settlement Class Members, including the Named Plaintiffs, are permanently barred from prosecuting any of the released claims against any Releasees, as those terms are defined in the Settlement Agreement.
- (4) Named Plaintiffs Lynn Marie Potoski and Denise Gaiteri are each awarded Service Awards for their services to the class in the amount of \$6,000 to be paid from the Gross Settlement Amount in accordance with the terms of the Settlement Agreement.

- (5) Class Counsel is awarded attorney's fees in the amount of \$280,000 as final payment for and complete satisfaction of any and all attorney's fees due and owed to Class Counsel. The payment of fees to Class Counsel shall be paid from the Gross Settlement Amount in accordance with the terms of the Settlement Agreement.
- (6) Class Counsel is awarded reimbursement of litigation costs and expenses in the amount of \$32,874 to be paid from the Gross Settlement Amount in accordance with the terms of the Settlement Agreement.
- (7) The Settlement Administrator is awarded fees, costs, and expenses associated with the administration of the settlement in the amount of \$6,000 to be paid from the Gross Settlement Amount in accordance with the terms of the Settlement Agreement.
- (8) The action is **DISMISSED with prejudice**, although jurisdiction is retained over this action for purposes of overseeing any disputes arising from the implementation, administration, or enforcement of the settlement terms, including any relating to the award of attorney's fees and costs.
- (9) The Clerk of Court is directed to mark the case as **CLOSED**.

/s/ A. Richard Caputo
A. Richard Caputo
United States District Judge