

**UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
JACKSONVILLE DIVISION**

PAOLA CANAS, LINA POSADA,  
JESSICA BURCIAGA, JAIME  
EDMONDSON, and ROSIE JONES,

Plaintiffs,

v.

Case No. 3:16-cv-393-J-32JRK

FLASH DANCERS, INC. and  
MICHAEL TOMKOVICH,

Defendants.

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BROOKE TAYLOR aka Brooke  
Johnson, LAURIE ANN YOUNG,  
MALU LUND, SARA  
UNDERWOOD, and JAMIE  
EASON aka Jamie Middleton,

Plaintiffs,

v.

Case No. 3:16-cv-394-J-32JRK

M.T. PRODUCTIONS IN  
JACKSONVILLE, INC. and  
MICHAEL TOMKOVICH,

Defendants.

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**ORDER**

This case is before the Court on Plaintiffs’ Motion to Enforce Defendants’ Compliance with Settlement Agreement, (Doc. 55), and Plaintiffs’ Motion to File Settlement Agreement Figures Under Seal, (Doc. 56). Defendants responded to Plaintiffs’ motion to enforce the settlement. (Doc. 57).

Upon review, the parties never had a “meeting of the minds” on all essential terms of their settlement agreement. See State v. Family Bank of Hallandale, 623 So. 2d 474, 480 (Fla. 1993). Plaintiffs believed that the models excluded from the settlement agreement would be able to continue their claims, whereas Defendants believed that the excluded models were required to dismiss their claims—both of which are reasonable interpretations of the negotiations. (See Docs. 55-2; 55-6; 57-2).<sup>1</sup> Absent mutual assent, no enforceable agreement was ever formed. Hallandale, 623 So. 2d at 480.

Accordingly, it is hereby

**ORDERED:**

1. Plaintiffs’ Motion to Enforce Defendants’ Compliance with Settlement Agreement (Doc. 55) is **DENIED**.<sup>2</sup>

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<sup>1</sup> While this issue apparently does not pertain to the case before this Court, the settlement of this case was part of a “global settlement” including other cases.

<sup>2</sup> It is not clear whether this Court would have jurisdiction to enforce a settlement agreement as it pertains to cases pending in other courts, but the Court need not reach this issue.

2. Plaintiffs' Motion to File Settlement Agreement Figures Under Seal (Doc. 56) is **DENIED as moot**.

3. The parties have to **November 30, 2018** to determine whether they will settle this case or go to trial. If the parties are unable to settle this case, then not later than **December 6, 2018**, the parties shall jointly inform the Court of their requested trial term.

**DONE AND ORDERED** in Jacksonville, Florida this 29th day of October, 2018.



TIMOTHY J. CORRIGAN  
United States District Judge

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Copies to:

Counsel of record