

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

SARAH WELCH, on behalf of herself
and others similarly situated

Plaintiff,

v.

Case No: 2:17-cv-482-FtM-38MRM

EXECONE MANAGEMENT LLC and
PATRICK RAYMOND,

Defendants.

AMENDED OPINION AND ORDER¹

This matter comes before the Court on review of the parties' Joint Stipulation of Dismissal with Prejudice ([Doc. 25](#)) filed on May 9, 2018.

Plaintiff filed suit on August 24, 2017 to recover compensation allegedly owed to her under the Fair Labor Standards Act ("FLSA"). ([Doc. 1](#)). On January 22, 2018, Defendants filed Answers and Affirmative Defenses. (Docs. [16](#); [17](#)). The Court then struck Defendant Execon Management LLC's Answer because it was filed by a layperson incapable of representing a corporate entity. ([Doc. 19](#)). Execon Management LLC then retained counsel and filed another Answer. ([Doc. 22](#)).

¹ Disclaimer: Documents filed in CM/ECF may contain hyperlinks to other documents or websites. These hyperlinks are provided only for users' convenience. Users are cautioned that hyperlinked documents in CM/ECF are subject to PACER fees. By allowing hyperlinks to other websites, this Court does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their websites. Likewise, the Court has no agreements with any of these third parties or their websites. The Court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the Court.

The parties now inform the court that they have settled Plaintiff's claims in full without compromise. ([Doc. 25 at 1](#)). This being the case, the Court need not review and approve the settlement for fairness. See [Lynn's Food Stores, Inc. v. U.S. Dep't of Labor](#), 679 F.2d 1350, 1352 (11th Cir. 1982); see also [King v. My Online Neighborhood, Inc.](#), No. 6:06-cv-435-Orl-22JGG, 2007 WL 737575, at *3 (M.D. Fla. Mar. 7, 2007) ("Where the employer offers the plaintiff full compensation on his FLSA claim, no compromise is involved and judicial approval is not required.").

In addition, Rule 41 of the Federal Rules of Civil Procedure allows a plaintiff to dismiss an action without a court order by "a stipulation of dismissal signed by all parties who have appeared." [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(ii\)](#). Here, the parties agree to dismiss this case with prejudice under [Rule 41\(a\)\(1\)\(A\)\(ii\)](#) and have signed the Stipulation for Dismissal ([Doc. 25](#)). The Court thus dismisses this case with prejudice.


Accordingly, it is now

ORDERED:

1. The parties' Joint Stipulation of Dismissal with Prejudice ([Doc. 25](#)) is
GRANTED.

2. The Clerk of Court is **DIRECTED** to enter judgment accordingly, terminate all pending motions and deadlines, and close the file.

DONE and **ORDERED** in Fort Myers, Florida this 11th day of May, 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record