

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

JODY AUGUSTINE, an individual

Plaintiff,

v.

Case No: 2:17-cv-674-FtM-38CM

BROWN & BROWN, INC.,

Defendant.

ORDER¹

This matter comes before the Court on the parties' Joint Stipulation for Dismissal ([Doc. 18](#)) filed on April 30, 2018. Plaintiff sued under the Fair Labor Standards Act ("FLSA") for unpaid hourly compensation and overtime wages. ([Doc. 1](#)). Plaintiff also sued for retaliation under the FLSA. ([Doc. 1](#)). The parties now inform the Court that Plaintiff's claims against Defendant have been resolved in full without compromise, with the attorney's fees negotiated separately from the resolution of Plaintiff's claims. ([Doc. 18](#)). Therefore, there is no need for the Court to 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). Moreover, Federal Rule of Civil Procedure 41 allows a plaintiff to dismiss an action without a court order by "a stipulation of dismissal signed by all parties who have

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appeared.” Fed. R. Civ. P. 41(a)(1)(A)(ii). Here, the parties dismiss this case with prejudice under Rule 41(a)(1)(A)(ii) and provide the Court with a Joint Stipulation for Dismissal signed by all parties. (Doc. 18).

Accordingly, it is now

ORDERED:

1. The case is **DIMISSED with prejudice**
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 1st day of May 2018.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record