

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

ROBERT BAEHRLE,

Plaintiff,

v.

Case No: 6:17-cv-1686-Orl-41GJK

H.A.T. SERVICE CORPORATION,

Defendant.

ORDER

THIS CAUSE is before the Court on the parties' Joint Motion to Approve Settlement ("Motion," Doc. 30). United States Magistrate Judge Gregory J. Kelly submitted a Report and Recommendation ("R&R," Doc. 31), recommending that the Court grant the Motion.

After a *de novo* review and noting that the parties filed a Joint Notice of No Objection (Doc. 32), the Court agrees with the analysis in the R&R, with the addition of the following caveat: to the extent that the Settlement Agreement purports to allow the parties to subsequently modify the Agreement, (*see* Doc. 30-1 ¶ 9), that language will be stricken. Pursuant to *Lynn's Food Stores, Inc. v. United States*, 679 F.2d 1350, 1355 (11th Cir. 1982), any future modifications to the Settlement Agreement are unenforceable absent judicial approval.

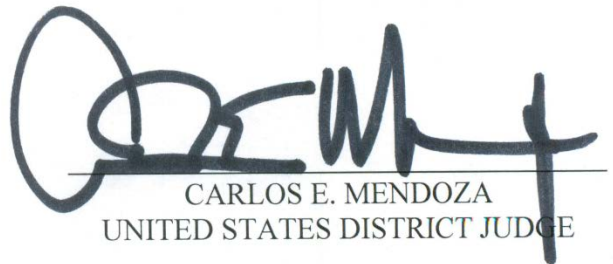
Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The Report and Recommendation (Doc. 38) is **ADOPTED** and **CONFIRMED** as set forth herein.
2. To the extent the modification provision (Doc. 30-1 ¶ 9) purports to allow the Settlement Agreement to be modified without Court approval, it is **STRICKEN**.

3. The parties' Joint Motion to Approve Settlement (Doc. 30) is **GRANTED**; the Settlement Agreement, as amended by this Court, is **APPROVED**; and this case is **DISMISSED with prejudice**.

4. The Clerk is directed to close this case.

DONE and **ORDERED** in Orlando, Florida on July 31, 2018.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record