

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

CATHERINE DEMATTIA,

Plaintiff,

v.

Case No: 2:18-cv-78-FtM-38MRM

PEWTER MUG 51, LLC and  
BERNARD ZARVIS,

Defendants.

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**ORDER**<sup>1</sup>

Pending before the Court is Plaintiff Catherine Demattia and Defendants Pewter Mug 51, LLC and Bernard Zarvis' Joint Stipulation for Dismissal. ([Doc. 17](#)). Demattia sued Defendants for, among other things, failure to pay minimum wage under the Fair Labor Standards Act ("FLSA"). ([Doc. 1](#)). But Demattia now states, "[a]fter reviewing the employer's payroll records, it was determined that [she] had received full compensation under the law[.]" ([Doc. 17](#)). The parties thus stipulate to dismissing this entire case with prejudice under Federal Rule of Civil Procedure 41(a)(1) and with each side to bear its own attorney's fees and costs. ([Doc. 17](#)).

Because the parties agree that Defendants have paid Demattia per the FLSA, the Court need not review and approve any settlement for fairness. See [Lynn's Food Stores, Inc. v. U.S. Dep't of Labor](#), 679 F.2d 1350, 1352 (11th Cir. 1982). Also, the parties have

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signed the Joint Stipulation for Dismissal, so the Court will dismiss this case with prejudice. See [Fed. R. Civ. P. 41\(a\)\(1\)\(A\)\(ii\)](#) (permitting a plaintiff to dismiss an action without a court order by “a stipulation of dismissal signed by all parties who have appeared”).

Accordingly, it is

**ORDERED:**

- (1) The above-captioned case is **DISMISSED with prejudice**.
- (2) The Clerk of Court is **DIRECTED** to enter judgment accordingly, terminate all pending deadlines and motions, and close the file.

**DONE** and **ORDERED** in Fort Myers, Florida this 25th day of April 2018.

  
SHERI POLSTER CHAPPELL  
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record