

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

THOMAS SCHOFIELD, an individual

Plaintiff,

v.

Case No: 2:18-cv-316-FtM-38CM

FRANK'S ROOFING & SPRAYING,  
INC. and CHARLES DAMPIER,

Defendants.

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

Before the Court is the parties' Joint Stipulation for Dismissal ([Doc. 19](#)). Plaintiff sued under the Fair Labor Standards Act ("FLSA") for unpaid overtime wages and retaliation. ([Doc. 1](#)). The parties now inform the Court that Plaintiff's claims against Defendant have been resolved in full without compromise, with attorney's fees negotiated separately from the resolution of Plaintiff's claims. ([Doc. 19](#)). 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). Further, 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 appeared." [Fed. R. Civ. P.](#)

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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. 19).

Accordingly, it is now

**ORDERED:**

1. The case is **DISMISSED 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 5th day of September 2018.

  
**SHERI POLSTER CHAPPELL**  
**UNITED STATES DISTRICT JUDGE**

Copies: All Parties of Record