

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JAQUI COOLEY,

Plaintiff,

v.

Case No: 6:18-cv-752-Orl-41GJK

**REAL PROPERTY SPECIALISTS,
INC.,**

Defendant.

ORDER

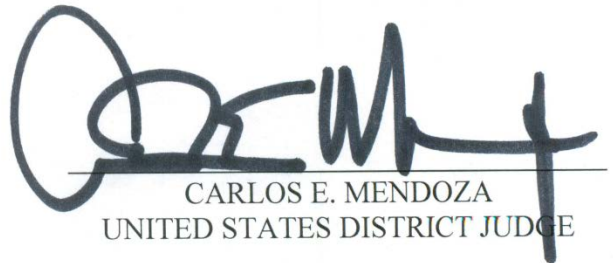
THIS CAUSE is before the Court on the Joint Motion to Approve Settlement Agreement (Doc. 18). United States Magistrate Judge Gregory J. Kelly issued a Report and Recommendation (Doc. 19), in which he recommends the motion be granted in part. The Parties filed a Joint Notice of No Objection to Report and Recommendation (Doc. 20).

After a *de novo* review of the record, the Court agrees with the analysis in the Report and Recommendation except for the recommendation to approve the general release included in the settlement agreement. Here, there is consideration for the general release that is separate from that being given in exchange for the settlement of Plaintiff's FLSA claims. (Settlement Agreement, Doc. 18, at 8). Pursuant to *Lynn's Food Stores, Inc. v. United States*, this Court must determine whether a proposed settlement "is a fair and reasonable resolution of a bona fide dispute *over FLSA provisions*." 679 F.2d 1350, 1355 (11th Cir. 1982) (emphasis added). Moreover, "the release of non-FLSA claims is generally not subject to judicial scrutiny." *Shearer v. Estep Const., Inc.*, No. 6:14-cv-1658-Orl-41GJK, 2015 WL 2402450, at *4 (M.D. Fla. May 20, 2015). Accordingly, this Court does not express an opinion as to the validity of the separate general release agreement.

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

1. Report and Recommendation (Doc. 19) is **ADOPTED** and **CONFIRMED** as set forth herein.
2. The Joint Motion to Approve Settlement Agreement (Doc. 18) is **GRANTED in part**.
3. The Settlement Agreement (Doc. 18 at 5–11), as modified by the Report and Recommendation and this Order, is **APPROVED**.
4. The Court does not retain jurisdiction to enforce the settlement agreement.
5. This case is **DISMISSED with prejudice**.

DONE and **ORDERED** in Orlando, Florida on November 8, 2018.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record