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13 Attorneys for Plaintiffs

14 **UNITED STATES DISTRICT COURT**
15 **CENTRAL DISTRICT OF CALIFORNIA**

16 **BARBARA FLORES, on behalf of**
17 **herself and those similarly situated,**

18 **Plaintiffs,**

19 **v.**

20 **SWIFT TRANSPORTATION**
21 **COMPANY, et al.,**

22 **Defendants.**

Case No. CV 14-2900-AB (Ex)

PROPOSED ORDER GRANTING
UNOPPOSED MOTION FOR
APPROVAL OF FLSA
SETTLEMENTS [117]

Assigned to:
Honorable André Birotte Jr.

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1 Plaintiffs filed an uncontested motion to approve the settlements between
2 each of the 41 opt-in plaintiffs and the Defendants in this FLSA collective action.
3 Dkt. No. 117. Having reviewed the Plaintiffs' submissions, and having held a
4 settlement hearing on May 2, 2016, and there being no opposition to the settlements,
5 the Court finds that the agreements represent a fair and reasonable settlement of
6 bona fide disputes. *Goodwin v. Citywide Home Loans, Inc.*, 8:14 Civ. 00866-JLS-
7 JCG, Doc. 66, p. 4 (C.D. Cal Nov. 2, 2015). Accordingly, the Court approves the
8 settlements including the service payments of \$10,000 to the Named Plaintiff Flores
9 and \$5,000 to Plaintiff Cecil, attorneys' fees of one-third the settlement amounts,
10 and costs of \$31,352.43.

11 The Court also dismisses the Rule 23 California class claims pled in
12 Plaintiffs' complaint without prejudice due to lack of numerosity and because there
13 is no evidence that absent class members relied on the filing of the action, that they
14 lack adequate time to file other actions, or that the settlement compromises their
15 claims. *Diaz v. Trust Territory of Pac. Islands*, 876 F.2d 1401, 1408 (9th Cir.
16 1989); *Luo v. Zynga Inc.*, 13 Civ. 00186 NC, 2014 WL 457742, at *3 (N.D. Cal.
17 Jan. 31, 2014).

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19 IT IS SO ORDERED.

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21 Dated: May 11, 2016

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Hon. André Birotte Jr.
United States District Judge