

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

SHERI MOSLEY, individually and
on behalf of all others similarly
situated,

Plaintiff,

v.

Case No. 3:19-cv-379-J-32JRK

LOZANO INSURANCE
ADJUSTERS, INC., FRANK
LOZANO, LISETTE LOZANO,
ANCHOR INSURANCE
HOLDINGS, INC., and KEVIN
PAWLOWSKI,

Defendants.

ORDER

This case is before the Court on the Joint Motion for Final Approval of Fair Labor Standards Act Settlement (Doc. 123). On January 11, 2021, the assigned United States Magistrate Judge issued a Report and Recommendation (Doc. 130) recommending that the Motion be granted in part and deferred in part. No party has filed an objection to the Report and Recommendation, and the time in which to do so has passed. See 28 U.S.C. § 636(b)(1); Fed. R. Civ. P. 72(b); M.D. Fla. R. 6.02(a). Upon de novo review of the file and for the reasons stated in the Report and Recommendation (Doc. 130), it is hereby

ORDERED:

1. The Report and Recommendation of the Magistrate Judge (Doc. 130) is **ADOPTED** as the opinion of the Court.

2. The parties' Joint Motion for Final Approval of Fair Labor Standards Act Settlement (Doc. 123) is **GRANTED in part** and **DEFERRED in part**.

3. As stated in the Report and Recommendation (Doc. 130), the Motion is **GRANTED** to the extent that the Court **APPROVES** the parties' Settlement Agreement (Doc. 123-1)—including the requested attorneys' fees and costs, but excluding the \$5,000 service award for the time being—as involving a bona fide dispute over an FLSA provision and as fair and reasonable.

4. The Court **DEFERS** ruling on the issue of the \$5,000 service award and retains jurisdiction to decide the matter pending a final decision in Johnson v. NPAS Sols., LLC, 975 F.3d 1244 (11th Cir. Sept. 17, 2020). The parties are directed to deposit the \$5,000 into the registry of the Court pending the Court's determination of the service award issue. The parties are directed to notify the Court no later than fourteen (14) days after a final decision is issued in Johnson.

5. The Clerk should terminate all pending motions and deadlines and close the file.

DONE AND ORDERED in Jacksonville, Florida the 28th day of
January, 2021.



Timothy J. Corrigan
TIMOTHY J. CORRIGAN
United States District Judge

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Copies to:

Honorable James R. Klindt
United States Magistrate Judge

Counsel of record