

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

**JOHNNYETTE SLOAN, on behalf of
herself and all others similarly situated,**

Plaintiffs,

v.

RENZENBERGER, INC.,

Defendant.

No. 10-2508-CM-JPO

MEMORANDUM AND ORDER

Plaintiff Johnnyette Sloan, on behalf of herself and all others similarly situated, brought this action under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201 *et seq.*¹ On October 13, 2011, the court denied without prejudice the parties’ joint motion to approve settlement agreements. (Doc. 117.) The court permitted the parties to amend their joint motion to address particular concerns the court raised in its Order. This matter is now before the court on the parties’ Renewed Joint Motion to Approve Settlement Agreements and Motion to Dismiss with Prejudice (Doc. 118).

The court reviewed the renewed motion submitted by the parties, which confirms that the amounts plaintiff Sloan is receiving in satisfaction of her alleged lost wages under the FLSA is comparable to that of the other opt-in plaintiffs. The motion accounts for any apparent discrepancy

¹ (See Docs. 1, at 15; 36, at 1–2). Since this action was filed, twenty-one plaintiffs opted-in. Plaintiff Sloan’s complaint also asserts a class action under Kansas law for breach of contract; unjust enrichment; and violation of the Kansas Wage Payment Act, Kan. Stat. Ann. § 44-312, *et seq.* She also brings individual claims against Renzenberger for violations of the Family and Medical Leave Act (“FMLA”) and the Americans with Disabilities Act (“ADA”).

between the payment to plaintiff and the other opt-in plaintiffs by itemizing the claims to which the payments apply, and explains why the Settlement Agreements, as negotiated, are fair and reasonable for all parties. The court is satisfied that the proposed settlement allocation is fair and reasonable, and hereby approves the Settlement Agreements.

For purposes of settlement, the court certifies, pursuant to Section 216(b) of the FLSA, a collective action consisting of plaintiff Sloan and the individual plaintiffs who have opted into this action, including Asia Blunt, Kiva Bly, Tiauna Burke, Aikeisha Crook, Michelle Fisher, Elizabeth Francis, Deskio Hicks, Amy Hudnall, Shannell Jackson, Tonya Johnson, Lanita Jones, Frances Lowe, Malory Mertz, Amanda Monslow, Mark Moore, Kalieah Mullin, Melissa Munsell, Iona Peavy, Alexa Rivera, Bridget Walker, and Krystal Williams.

IT IS THEREFORE ORDERED that the parties' Renewed Joint Motion to Approve Settlement Agreements and Motion to Dismiss with Prejudice (Doc. 118) is granted.

IT IS FURTHER ORDERED that the parties are directed to promptly file a stipulation of dismissal, at which time the court will dismiss this action with prejudice, each party to bear his, her, or its own costs.

Dated this 27th day of October 2011, at Kansas City, Kansas.

s/ Carlos Murguia
CARLOS MURGUIA
United States District Judge