

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

EDWARD SHEEHAN, *et al.*,
Plaintiffs,

v.

CASE NO. 05-10936-RGS

FEDEX CORPORATION, FEDEX
GROUND PACKAGE SYSTEM, INC., and
FEDEX GROUND PACKAGE SYSTEM,
INC. d/b/a/ FEDEX HOME DELIVERY

Defendants.


**ORDER APPROVING THE SETTLEMENT
AND DISMISSING THE ACTION WITH PREJUDICE**

After a confidential in camera review of the Confidential Global Settlement Agreement presented by the parties as well as the form for the Confidential Agreement and Release to be signed by the Plaintiffs and the other individuals who will be participating in the settlement (collectively “Settlement Participants”), the Court determines that, for purposes of the Fair Labor Standards Act (“FLSA”), the terms of the settlement of this litigation, including the amounts contemplated to be paid to Plaintiffs and Settlement Participants, are a fair and reasonable resolution of a bona fide dispute. Accordingly, the Court approves the settlement for FLSA purposes, including the forms of releases to be signed by the Settlement Participants.

The Court hereby DISMISSES WITH PREJUDICE the claims that were raised in the above-styled lawsuit, subject to paragraph 4(a) of the Confidential Global Settlement Agreement regarding the refiling of claims by Plaintiffs who do not participate in the settlement. Each party shall bear his, her, or its own costs and attorneys’ fees in this litigation except as otherwise provided by the Confidential Global Settlement Agreement.

Neither this Order, the Confidential Global Settlement Agreement, nor any other documents or information relating to the settlement of this action shall constitute, be construed to be, or be admissible in any proceeding as evidence: (a) that any group of similarly situated individuals exists to maintain a collective action under the Fair Labor Standards Act or a class action under Rule 23 of the Federal Rules of Civil Procedure (or comparable state laws or rules), (b) of an adjudication of the merits of this case or that any party has prevailed in this case, or (c) that the Defendant or others have engaged in any wrongdoing.

SO ORDERED this 8th day of April, 2011.



HONORABLE RICHARD G. STEARNS
UNITED STATES DISTRICT JUDGE

