

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
TAMPA DIVISION

DAWNE SIRIANNI, ON BEHALF OF  
HERSELF AND THOSE SIMILARLY  
SITUATED,

CASE NO.: 8:08-CV-01278-T-23TGW

Plaintiff,

vs.

1ST CREDIT SOLUTIONS, LLC, A  
FLORIDA LIMITED LIABILITY  
COMPANY, AND GERALD  
CASTOR, INDIVIDUALLY, AND  
DEVY CASTOR, INDIVIDUALLY,

Defendant.

JOINT STIPULATION FOR DISMISSAL WITH PREJUDICE

Plaintiff, DAWN SIRIANNI, and Defendants, 1<sup>ST</sup> CREDIT SOLUTIONS, LLC, GERALD CASTOR & DEVY CASTOR, pursuant to Fed. R. Civ. P. 41(a)(1), by and through their undersigned counsel, hereby move this court for entry of an order dismissing this action **WITH PREJUDICE**. Plaintiff represents and acknowledges payment in full for all of her claims, including claims for overtime, liquidated damages and attorney's fees and costs. As such, the resolution of this matter does not constitute a "compromise" which would involve Court review and/or approval pursuant to Lynn's Food Stores, Inc. v. United States, 679 F.2d 1350 (11<sup>th</sup> Cir. 1982).<sup>1</sup>

<sup>1</sup> See MacKenzie v. Kindred Hospitals East, LLC, 276 F Supp. 2d 1211, 1217 (M.D. Fla. 2003) ("Lynn's Food Stores addresses judicial oversight of 'compromises' of FLSA claims....Since the plaintiff has been offered full compensation on his claim, this case does not involve a compromise....[and] there is no need for judicial scrutiny").

Date: April 6th, 2009.

<p><b><u>/s/ C. RYAN MORGAN</u></b> C. Ryan Morgan, Esq. Florida Bar No. 0015527 MORGAN &amp; MORGAN, P.A. 20 N. Orange Ave., 4th Floor P.O. Box 4979 Orlando, FL 32802-4979 Phone: (407) 420-1414 Fax: (407) 420-5956 Email: <a href="mailto:rmorgan@forthepeople.com">rmorgan@forthepeople.com</a> <b>Attorneys for Plaintiff</b></p>	<p><b><u>/s/ DONNA M. GRIFFIN, ESQUIRE</u></b> Donna M. Griffin, Esq. Florida Bar No. 886335 HARPER, GERLACH, PL 14115 Stilton Street, Suite E Tampa, Florida 33626 Phone: (813) 433-9003 Fax: (813) 287-5757 Email: <a href="mailto:dg@HarperGerlach.com">dg@HarperGerlach.com</a> <b>Attorneys for Defendants</b></p>
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**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that the above and foregoing has been served using the CM/ECF system which I understand will send a notice of electronic filing to the following: Donna M. Griffin, Attorney, HARPER GERLACH, 14115 Stilton Street, Tampa, FL 33626; email: [dg@harpergerlach.com](mailto:dg@harpergerlach.com), on this 6th day of April, 2009.

**/s/ C. RYAN MORGAN**  
C. Ryan Morgan, Esquire