

with Southern Valley Fruit & Vegetable, Inc., Hamilton Growers, Inc., Kent Hamilton, Hamilton Farms Mex, L.P., Hamilton Produce, L.P., Kenda Properties, L.P., WK Holdings, LLC, WK Mex Properties, L.P., and WKW, LLC (“Defendants”); and (2) Plaintiffs’ Unopposed Motion for Attorney’s Fees and Costs (“Fee Motion”).

Plaintiffs are farm laborers who worked for Defendants. The parties’ Settlement seeks to resolve Plaintiffs’ claims under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.*, the Migrant Seasonal Agricultural Worker Protection Act (“AWPA”), 29 U.S.C. § 1801, *et seq.*, and state common law. Plaintiffs allege that Defendants failed to pay their overtime wages and to reimburse them for their travel expenses.

Having considered Plaintiffs’ materials submitted in support of the application, and having held a Final Fairness Hearing on November 3, 2021, and no objections to the final approval having been lodged, and no class members having excluded themselves from the Class, Plaintiffs’ Approval Motion and Fee Motion are **GRANTED**.

The Court hereby **ORDERS** as follows:

1. The Court finally certifies for settlement purposes the Settlement Class described in the Settlement, comprised of individuals who worked for Defendants under the terms of an H-2A visa in a packing facility position during the period of April 11, 2013 to December 31, 2018.

2. The Court grants final approval of the Settlement, and finds the terms of the Settlement to be fair, reasonable and adequate under Rule 23(e) of the

Federal Rules of Civil Procedure, including the amount of the settlement fund; the amount of distributions to class members; non-monetary relief regarding rehire of the Retaliation Plaintiffs; the procedure for giving notice to class members; the procedure for objecting to or opting out of the Settlement; and the maximum amounts allocated as additional compensation, costs and attorney's fees.

3. The Court orders that payments proceed to Class members as provided for by the parties' Settlement Agreement.

4. The Court finds the Settlement to be a fair and reasonable resolution of a *bona fide* FLSA dispute and therefore approves the FLSA Settlement, and orders payment of the additional damages to Named Plaintiffs Jesus Bejines-Gonzalez and Abrahaam Sayago-Hernandez, Retaliation Plaintiffs Loida Osorio-Jimenez and Margarito Osorio-Jimenez, and to all other FLSA Opt-in Plaintiffs who filed consents to sue, as provided for in the parties' Settlement Agreement.

5. The Court finds that Plaintiffs' attorneys' fees request is reasonable and appropriate, having considered the factors outlined in *Camden I Condo. Assoc. v. Dunkel*, 946 F.2d 768 (11th Cir. 1991) and *Johnson v. Georgia Highway Express, Inc.*, 488 F.2d 714 (5th Cir. 1974), and awards Plaintiffs' counsel \$237,600 in attorneys' fees and \$10,045.40 in costs, to be paid from the settlement fund.

6. The Court orders payment to the Settlement Administrator, Atticus Administration, LLC, of \$25,000 for its services in providing notice, payments, and administering the fund.

SO ORDERED, this 22nd day of November, 2021.

s/ Hugh Lawson
HUGH LAWSON, SENIOR JUDGE