

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF INDIANA
SOUTH BEND DIVISION**

HEATHER FITZGERALD , individually)		
and on behalf of all others similarly))	
situated,))	
)	
Plaintiff,))	
)	
vs.))	CASE NO. 3:20-cv-01004-DRL-MGG
)	
FOREST RIVER MANUFACTURING))	
LLC,))	
)	
Defendant.))	

JOINT MOTION FOR APPROVAL OF FLSA COLLECTIVE ACTION SETTLEMENT

Named Plaintiff Heather R. Fitzgerald (“Representative Plaintiff” or “Fitzgerald”) on behalf of herself and others similarly situated Opt-In Plaintiffs (collectively, “Plaintiffs”), and Defendant Forest River Manufacturing LLC (“Defendant” or “Forest River”) (collectively, Plaintiffs and Defendant are referred to as “Parties”) respectfully request that this Honorable Court:

1. Approve the Parties’ Collective Action Settlement Agreement and Release (“Settlement Agreement”), attached as **Exhibit 1** to memorandum in support, as a final, fair, reasonable, adequate and binding release of claims;
2. Grant final approval of the settlement of the collective claims brought pursuant to the Fair Labor Standards Act of 1938 (“FLSA”), 29 U.S.C. § 216(b), finding it is fair, reasonable and adequate, and in the best interest of the Plaintiffs;
3. Approve the Notice of Settlement and Claim Form and Release, attached as **Exhibit A** to the Settlement Agreement;
4. Approve the requested Service Award to Representative Plaintiff;
5. Approve Plaintiffs’ request for attorneys’ fees and costs; and

6. Approve all other terms of the Parties' Settlement Agreement as fair, reasonable and adequate;

7. Directing the Parties to effectuate the Settlement Agreement in accordance with its terms;

8. Dismissing the Action with prejudice.

A memorandum in support is filed contemporaneously, to which are also attached the Declaration of Robi J. Baishnab, as **Exhibit 2**, and a proposed Order, as **Exhibit 3**.

As explained in the Parties' Memorandum in Support, the Settlement Agreement was reached during arm's-length negotiations between the Parties, with the assistance of a private mediator. The negotiations were conducted by experienced counsel following substantial litigation, discovery, and on the basis of mutual recognition of the strengths and weaknesses of each other's positions, and the risks to each side of continued litigation.

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on this 27th day of January, 2023 the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system.

/s/ Hans A. Nilges

Counsel for Plaintiffs