

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA

ROCK HILL DIVISION

Kevin Faile, Louis C. Roman, Alan R.	)	Civil Action No. 0:10-cv-2809-CMC
DePalma, and Brian Scott Craton, all	)	
individually and on behalf of all	)	
other similarly situated individuals,	)	<b>CONSENT MOTION TO APPROVE</b>
	)	<b>SETTLEMENT AGREEMENT, TO</b>
Plaintiffs,	)	<b>AUTHORIZE NOTICE TO CLASS,</b>
vs.	)	<b>AND TO SCHEDULE FAIRNESS</b>
	)	<b>HEARING</b>
Lancaster County, South Carolina,	)	
	)	
Defendant.	)	
_____	)	

Plaintiffs, Kevin Faile, Louis C. Roman, Alan R. DePalma, and Brian Scott Craton, all individually and on behalf of all other similarly situated individuals, by and through their undersigned attorneys and with the consent of Defendant, Lancaster County, South Carolina, hereby file this Consent Motion to Approve Settlement Agreement, to Authorize Notice to Class, and to Schedule Fairness Hearing. Plaintiffs respectfully request that the Court review and approve the terms of the proposed settlement of this action as both a collective action under the Fair Labor Standards Act, 29 U.S.C. § 216(b), and also as a class action under the South Carolina Payment of Wages Act, S.C. Code Ann. § 41-10-10 et seq., as well as the proposed apportionment of the settlement proceeds, after conducting a hearing about the fairness, reasonableness, and adequacy of the proposed settlement. Plaintiffs hereby submit a proposed notice of the settlement to be mailed or delivered to each opt-in Plaintiff under the FLSA collective action and to each potential class member under the Rule 23 class, informing them of the terms of the Settlement Agreement and giving them an opportunity to be heard about the final approval of the settlement.

The grounds for this motion are that the parties have reached an arms-length settlement of this matter after extensive, bona fide settlement negotiations including two mediation sessions; that the named Plaintiffs, as representatives of the class, believe that the proposed settlement is in the best interests of the class as a whole; and that all parties desire to conclude this matter without further expense, delay, and uncertainty of continued litigation. This motion is supported by the accompanying Memorandum of Law and the documents attached thereto.

Respectfully submitted,

s/ David E. Rothstein

---

David E. Rothstein, Fed. ID No. 6695  
ROTHSTEIN LAW FIRM, PA  
514 Pettigru Street  
Greenville, South Carolina 29601  
(864) 232-5870 (O)  
(864) 241-1386 (Facsimile)  
[derothstein@mindspring.com](mailto:derothstein@mindspring.com)

---

Attorney for Plaintiffs

January 16, 2012

Greenville, South Carolina.