

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

FLORENCE DIVISION

Anna C. DeWitt, David Hodge,	)	Civil Action No. 4:11-cv-00740-RBH
Lena M. Quick, Lynette Hudson, and	)	
Jennifer E. Amerson, all individually	)	
and on behalf of all other similarly	)	<b>CONSENT MOTION TO CERTIFY</b>
situated individuals,	)	<b>COLLECTIVE ACTION, FOR</b>
	)	<b>PRELIMINARY APPROVAL OF</b>
Plaintiffs,	)	<b>SETTLEMENT AGREEMENT, TO</b>
vs.	)	<b>AUTHORIZE NOTICE TO CLASS,</b>
	)	<b>AND TO SCHEDULE FAIRNESS</b>
Darlington County, South Carolina,	)	<b>HEARING FOR FINAL APPROVAL</b>
	)	
Defendant.	)	
_____	)	

Plaintiffs, Anna C. DeWitt, David Hodge, Lena M. Quick, Lynette Hudson, and Jennifer E. Amerson, all individually and on behalf of all other similarly situated individuals, by and through their undersigned attorneys and with the consent of Defendant, Darlington County, South Carolina, hereby file this Consent Motion to Certify Collective Action, for Preliminary Approval of Settlement Agreement, to Authorize Notice to Class, and to Schedule Fairness Hearing for Final Approval. Plaintiffs respectfully request that the Court review and approve the terms of the proposed settlement of this action as a collective action under the Fair Labor Standards Act, 29 U.S.C. § 216(b), 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, 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 a mediation before a Certified Specialist in Employment and Labor Law; 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  
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Attorneys for Plaintiffs

July 18, 2013

Greenville, South Carolina.

**Index of Exhibits**

Exhibit No.	Description
A	Settlement Agreement
B	Notice of Proposed Settlement of Collective Action Lawsuit
C	Affidavit of Anna C. DeWitt
D	Sample Letter to Opt-in Plaintiffs Receiving Payment Under Proposed Settlement
E	Declaration of Plaintiffs' Counsel, David E. Rothstein