

UNITED STATES DISTRICT COURT

DISTRICT OF COLORADO

FLSA SETTLEMENT WORKSHEET

Case Name: _____ Case Number: _____

Overview of Case & Claims: *This should be a brief summary of what the wage claims and disputes are, including facts such as type of company, the Plaintiff's title/position, duration of employment, and nature of the type of underpayment(s) alleged.*

	YES	NO	N/A	Page	Section
1. Scope of Release. Does the settlement include a release of claims outside of, or in addition to, wage claims?					

Notes: General releases are disfavored in FLSA settlements.

If yes, what special circumstances warrant a broader release?

2. Confidentiality. Does the settlement include a confidentiality provision?					
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Notes: Confidentiality provisions are disfavored in FLSA settlements.

If yes, what special circumstances warrant a confidentiality provision??

	YES	NO	N/A	Page	Section
3. Non-Disparagement. Does the settlement include a prohibition against the Plaintiff/employee making truthful statements about their wages, the claim or lawsuit they have brought, or their experiences pursuing these claims?					
<i>Notes: Nondisparagement provisions either must not exist at all or must not be so broad as to include truthful statements related to the Plaintiff's wages or experiences pursuing the claim.</i>					
If yes, explain why the settlement should be approved with this inclusion					
4. Forfeiture of other rights. Does the settlement include any forfeitures of rights outside of the release of claims, such as a prohibition against re-employment?					
<i>Notes: Such provisions are disfavored in FLSA settlements.</i>					
If yes, what special circumstances warrant this/these provision(s)?					
5. Monetary amounts.					
What is the total settlement amount?					
What amount is payable to the Plaintiff(s)?					
What amount is payable to Plaintiff's(s') counsel?					
Of the amount payable to Plaintiff's(s') counsel, how much is for costs?					
Of the amount payable to Plaintiff's(s') counsel, how much is for fees?					
What percent of the total recovery does the fee portion represent?					
On what basis are the attorney fees computed? (e.g. percentage, hourly, etc.)					
	YES		NO		
Are there time and pay records from which damages can be computed with relative certainty?					

If Plaintiff(s) were successful on their FLSA claims, how much would the federal minimum wage claims be worth? <i>(Do not include liquidated damages)</i>		
If Plaintiff(s) were successful on their FLSA claims, how much would the federal overtime claims be worth? <i>(Do not include liquidated damages)</i>		
	YES	NO
Is the amount payable to the Plaintiff(s) less than twice the amount of the federal minimum wage plus overtime claims as stated above?		
<i>Notes: Any compromises to the full minimum wage, overtime, and liquidated damage amounts must be justifiable.</i>		
Provide any explanations as to why the above represents a fair and reasonable settlement for the Plaintiff(s).		
*** Plaintiffs' counsel are directed to submit copies of their retainer agreements and contemporaneous activity or timekeeping logs. They may do so under seal. ***		
<p>6. Other considerations. Are there any other issues the Court should consider when evaluating whether to approve this settlement? If so, briefly explain.</p>		