

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

GUSTAVO UTRERA VIVEROS
and CHRISTIAN KLING,

ORDER

12-cv-129-bbc

Plaintiffs,

v.

VPP GROUP, LLC and CORPORATE DEVELOPMENT, INC.,

Defendants.

The parties in this case have informed the court that they have settled their dispute and wish to dismiss the case with prejudice. Dkt. #225. Accompanying their notice is a motion for the court to “approve” their settlement as “fair and reasonable.” However, it is not clear why the parties have asked for the court’s approval. The case is not proceeding as a class, so the settlement requirements in Fed. R. Civ. P. 23 do not apply. Fed. R. Civ. P. 23(e) (“The claims, issues or defenses of a *certified* class may be settled, voluntarily dismissed or compromised only with the court’s approval.”) (emphasis added). The parties cite no other rule that would require court approval of their settlement. Rather, the only rule that they cite is Fed. R. Civ. P. 41(a)(1)(ii), which allows the parties to stipulate to dismissal “without a court order.” Accordingly, I accept the parties’ stipulation, but the motion for

court approval of the settlement is denied as unnecessary.

Entered this 10th day of February, 2014.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge