

## 11th Circuit Ruling Could Be Setback for Workers in Wage Suits

News

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Cathy Stutin, a partner in the Fort Lauderdale office, was quoted in the article "Justice Watch: 11th Circuit Ruling Could Be Setback for Workers in Wage Suits" in the August 15 *Daily Business Review*. The state of Florida has more cases filed under the Fair Labor Standards Act than anywhere else in the nation. These are overtime cases where employees say they were cheated out of pay for work they performed beyond the 40-hour work week. Cathy said: "In Florida, particularly in southern Florida, FLSA takes up an inordinate amount of the federal court docket. If you look under FLSA, there are 10 cases filed in the rest of the country, and there will be 20 filed in Florida." She added that employers acting in good faith have difficulty complying with the letter of the law, and plaintiffs are often workers who have been fired and are represented by fee-seeking lawyers. But a recent decision by the 11th U.S. Circuit Court of Appeals states that attorney fees need not be paid if a company pays the disputed amount and a judge dismisses the case as moot. "I think judges are very sensitive that plaintiff attorneys can exploit the law for the potential to recover fees."

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