

8months,CLASS,CLOSED,PROTO

**U.S. District Court
Northern District of Georgia (Atlanta)
CIVIL DOCKET FOR CASE #: 1:05-cv-01473-CC**

De Leon-Granados et al v. Eller and Sons Trees, Inc. et al
Assigned to: Judge Clarence Cooper
Case in other court: USCA, 06-15876-CC
Cause: 29:216(b) Labor - Minimum wage or overtime compensation

Date Filed: 06/06/2005
Date Terminated: 10/29/2012
Jury Demand: Defendant
Nature of Suit: 710 Labor: Fair Standards
Jurisdiction: Federal Question

Plaintiff

Escolastico De Leon-Granados

represented by **Alex R. Gulotta**
Legal Aid Justice Center
Suite A
1000 Preston Avenue
Charlottesville, VA 22903
434-977-0553
Email: alex@justice4all.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew H. Turner
Southern Poverty Law Center-AL
400 Washington Avenue
Montgomery, AL 36104
334-956-8326
Email: andrew.turner@splcenter.org
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
Virginia Justice Center for Farm and
Immigrant Workers
1000 Preston Ave.
Suite A
Charlottesville, VA 22903
434-977-0553
Email: erin@justice4all.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
Law Office of Brian Spears
1126 Ponce de Leon Avenue
Atlanta, GA 30306
404-872-7086
Fax: 404-892-1128
Email: Bspears@mindspring.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
Southern Poverty Law Center-Atl
Suite 2150
233 Peachtree Street, NE
Atlanta, GA 30303
404-221-5836
Email: jim.knoepp@splcenter.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner

Southern Poverty Law Center–Atl
Suite 2150
233 Peachtree Street, NE
Atlanta, GA 30303
334-956-8200
Email: kbruner@splcenter.org
LEAD ATTORNEY

Mary C. Bauer
Southern Poverty Law Center–AL
400 Washington Avenue
Montgomery, AL 36104
334-956-8200
Email: mbauer@splcenter.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
Virginia Justice Center for Farm and
Immigrant Workers
Suite 520
6066 Leesburg Pike
Falls Church, VA 22041
703-778-3450
Email: tim@justice4all.org
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Rene Villatoro– De Leon

represented by **Alex R. Gulotta**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew H. Turner
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Margarito Recinos–Villatoro
TERMINATED: 03/28/2006

represented by **Alex R. Gulotta**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew H. Turner
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Isaias Profeta De Leon–Granados

represented by **Alex R. Gulotta**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew H. Turner
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Armenio Pablo–Calmo
on behalf of themselves and all others
similarly situated

represented by **Alex R. Gulotta**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Andrew H. Turner
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Osmar Osiel De Leon–Lucas

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

Plaintiff

Nelson Ignacio Hernandez-Lopez

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Marcial Sales-Diaz

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Samual Eduardo Tecun

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Alberto Diaz-Diaz

represented by **Andrew H. Turner**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)

LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jose Ruiz-Rodriguez

represented by **Andrew H. Turner**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Juan Aguilar-Vasquez

represented by **Andrew H. Turner**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Aureliano Rivas-Lucas

represented by **Andrew H. Turner**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

James Melvin Knoepp
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Sergio Roldan

represented by **Andrew H. Turner**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)

Plaintiff

Alejandro Luis-Morales

represented by **Andrew H. Turner**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Jose Maria Tomas-Recinos

represented by **Andrew H. Turner**
(See above for address)
LEAD ATTORNEY
PRO HAC VICE

Erin Trodden
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Kelley Bruner
(See above for address)
LEAD ATTORNEY

Mary C. Bauer

(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Tim A. Freilich
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Herman Osbeli Recinos–Martinez
TERMINATED: 12/13/2005

represented by **Herman Osbeli Recinos–Martinez**
PRO SE

Plaintiff

Ruben Perez–Lucas

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Rosanio Concepcion–Matias
TERMINATED: 03/27/2007

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Felix Morales–Antonio

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Protasio Burgos–Maldonado

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Cristian Emilio Lucano Gutierrez

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY

ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Plaintiff

Agustin Soto Rios

represented by **Erin Trodden**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

George Brian Spears
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

V.

Defendant

Eller and Sons Trees, Inc.

represented by **James Larry Stine**
Wimberly, Lawson, Steckel, Schneider
&Stine, P.C.
Lenox Towers, Suite 400
3400 Peachtree Road, NE
Atlanta, GA 30326-1107
404-365-0900
Email: jls@wimlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Oliver
Wimberly Lawson Steckel Schneider
&Stine, PC
3400 Peachtree Road, N.E.
Suite 400, Lenox Towers
Atlanta, GA 30326-1107
404-365-0900
Email: po@wimlaw.com

Defendant

Jerry Eller

represented by **James Larry Stine**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul Oliver
(See above for address)
ATTORNEY TO BE NOTICED

Date Filed	#	Docket Text
06/06/2005	<u>1</u>	COMPLAINT filed and summon(s) issued. Consent form to proceed before U.S. Magistrate and pretrial instructions given to attorney (Filing fee \$ 250 receipt number 537844.), filed by Armenio Pablo-Calmo, Escolastico De Leon-Granados, Rene Villatoro- De Leon, Margarito Recinos-Villatoro, Isaias Profeta De Leon-Granados. (Attachments: # <u>1</u> Summons)(fkt) (Entered: 06/09/2005)
06/06/2005	<u>2</u>	APPLICATION for Admission of Andrew H. Turner Pro Hac Viceby Armenio Pablo-Calmo, Escolastico De Leon-Granados, Rene Villatoro- De Leon, Margarito Recinos-Villatoro, Isaias Profeta De Leon-Granados.Filing Fee

		received \$150.00, Receipt #537846. (Attachments: # <u>1</u> Proposed Order)(vs) (Entered: 06/09/2005)
06/06/2005	<u>3</u>	APPLICATION for Admission of Kelley Bruner, Alex R. Gulotta, Tim A. Freilich, Mary C. Bauer, James M. Knoepp Pro Hac Vice by Armenio Pablo-Calmo, Escolastico De Leon-Granados, Rene Villatoro- De Leon, Margarito Recinos-Villatoro, Isaias Profeta De Leon-Granados.Filing Fee received \$750.00, Receipt #537847. (Attachments: # <u>1</u> Proposed Order Knoepp # <u>2</u> Proposed Order Bauer # <u>3</u> Proposed Order Freilich # <u>4</u> Proposed Order Gulotta # <u>5</u> Proposed Order Bruner)(vs) (Entered: 06/09/2005)
06/17/2005	<u>4</u>	ORDER granting <u>3</u> Application for Admission Pro Hac Vice Kelley Bruner, Alex R. Gulotta, Tim A. Freilich, Mary C. Bauer, James M. Knoepp Pro Hac Vice by Armenio Pablo-Calmo, Escolastico De Leon-Granados, Rene Villatoro- De Leon, Margarito Recinos-Villatoro, Isaias Profeta De Leon-Granados.. Signed by Judge Clarence Cooper on 6/17/05. (vs) (Entered: 06/21/2005)
06/17/2005	<u>5</u>	ORDER granting <u>2</u> Application for Admission Pro Hac Vice of Andrew H. Turner by Armenio Pablo-Calmo, Escolastico De Leon-Granados, Rene Villatoro- De Leon, Margarito Recinos-Villatoro, Isaias Profeta De Leon-Granados. Signed by Judge Clarence Cooper on 6/17/05. (vs) (Entered: 06/21/2005)
06/23/2005	<u>6</u>	Return of Service Executed by Escolastico De Leon-Granados. Eller and Sons Trees, Inc. served on 6/8/2005, answer due 6/28/2005. (Spears, George) (Entered: 06/23/2005)
06/23/2005	<u>7</u>	Return of Service Executed by Escolastico De Leon-Granados. Jerry Eller served on 6/13/2005, answer due 7/5/2005. (Spears, George) (Entered: 06/23/2005)
06/28/2005	<u>8</u>	ANSWER to Complaint with Jury Demand by Eller and Sons Trees, Inc., Jerry Eller. Discovery ends on 11/25/2005.(Stine, James) (Entered: 06/28/2005)
06/29/2005	<u>9</u>	MOTION for Order <i>Certification of Class Action</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> # <u>2</u> # <u>3</u> # <u>4</u> # <u>5</u> # <u>6</u> # <u>7</u>)(Spears, George) (Entered: 06/29/2005)
07/01/2005	<u>10</u>	CERTIFICATE of Counsel <i>Formatting Compliance</i> by George Brian Spears on behalf of all plaintiffs (Spears, George) (Entered: 07/01/2005)
07/08/2005	<u>11</u>	STATUS REPORT <i>Joint Statement Regarding Restrictions on Class Communications</i> by Escolastico De Leon-Granados. (Spears, George) (Entered: 07/08/2005)
07/11/2005	<u>12</u>	RESPONSE in Opposition re <u>9</u> MOTION for Order <i>Certification of Class Action By Plaintiff</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 07/11/2005)
07/15/2005	<u>13</u>	PRELIMINARY REPORT AND DISCOVERY SCHEDULE filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 07/15/2005)
07/18/2005	<u>14</u>	NOTICE Of Filing Consent to Join FLSA Collective Action by Escolastico De Leon-Granados (Attachments: # <u>1</u> Exhibit 1 # <u>2</u> Exhibit 2 # <u>3</u> Exhibit 3 # <u>4</u> Exhibit 4 # <u>5</u> Exhibit 5)(Spears, George) Modified on 7/25/2005 (vs). (Entered: 07/18/2005)
07/22/2005	<u>15</u>	NOTICE to Take Deposition of Escolastico De Leon-Granados, Rene Villatoro-De Leon, Margarito Recino-Villatoro, Isias Profeta De Leon-Granados and Amrenio Pablo-Calmo filed by Eller and Sons Trees, Inc., Jerry Eller (Stine, James) (Entered: 07/22/2005)
07/27/2005	<u>16</u>	Initial Disclosures by Eller and Sons Trees, Inc., Jerry Eller.(Stine, James) (Entered: 07/27/2005)
07/27/2005	<u>17</u>	MOTION to Certify Class <i>Certificate of Collective Action</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief Memorandum in Support# <u>2</u> Exhibit 1# <u>3</u> Exhibit 2# <u>4</u> Exhibit 3# <u>5</u> Errata 4# <u>6</u> Exhibit 5# <u>7</u> Exhibit 6# <u>8</u> Exhibit 7# <u>9</u> Errata 8# <u>10</u> Exhibit 9# <u>11</u> Exhibit 10# <u>12</u> Exhibit 11# <u>13</u> Exhibit 12# <u>14</u> Exhibit 13# <u>15</u> Exhibit 14# <u>16</u> Errata 15# <u>17</u> Exhibit 16# <u>18</u> Exhibit 17)(Spears, George) (Entered: 07/27/2005)

07/27/2005	<u>18</u>	RESPONSE in Support re <u>9</u> MOTION to Certify Class <i>Certificate of Collective Action</i> filed by Escolastico De Leon-Granados. (Spears, George) Modified on 10/11/2005 (vs). (Entered: 07/27/2005)
07/28/2005	<u>19</u>	Notice of Filing (Exhibit 18) re Motion to to Certify Class <i>Certificate of Collective Action</i> (Spears, George) Modified on 7/28/2005 to correct text (vs). (Entered: 07/28/2005)
07/28/2005	<u>20</u>	REPLY BRIEF re <u>9</u> MOTION to Certify Class <i>Certificate of Collective Action</i> filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> Exhibit 6# <u>7</u> Exhibit 7# <u>8</u> Exhibit 8# <u>9</u> Exhibit 9# <u>10</u> Exhibit 10# <u>11</u> Exhibit 11# <u>12</u> Exhibit 12# <u>13</u> Exhibit 13# <u>14</u> Exhibit 14# <u>15</u> Exhibit 15# <u>16</u> Exhibit 16# <u>17</u> Exhibit 17# <u>18</u> Exhibit 18)(Spears, George) Modified on 10/11/2005 (vs). (Entered: 07/28/2005)
07/28/2005	<u>21</u>	Initial Disclosures by Escolastico De Leon-Granados.(Spears, George) (Entered: 07/28/2005)
07/28/2005	<u>22</u>	CERTIFICATE of Counsel <i>Service of Discovery Materials</i> by George Brian Spears on behalf of all plaintiffs (Spears, George) (Entered: 07/28/2005)
08/03/2005		Submission of <u>17</u> MOTION to Certify Class <i>Certificate of Collective Action</i> , <u>18</u> Response in Support of Motion, <u>19</u> MOTION to Certify Class <i>Certificate of Collective Action (Exhibit 18)</i> , <u>20</u> Reply Brief,, <u>9</u> MOTION for Order <i>Certification of Class Action</i> , <u>12</u> Response in Opposition to Motion, submitted to District Judge Clarence Cooper. (vs) (Entered: 08/03/2005)
08/04/2005	<u>23</u>	Amended NOTICE to Take Deposition of Escolastico De Leon-Granados, Rene Villatoro-De Leon, Margarito Recinso-Villatoro, Isias Profeta De Leon-Granados and Amrenio Pablo-Calmo filed by Eller and Sons Trees, Inc., Jerry Eller (Stine, James) (Entered: 08/04/2005)
08/15/2005	<u>24</u>	RESPONSE re <u>17</u> MOTION to Certify Class <i>Certificate of Collective Action</i> , <u>19</u> MOTION to Certify Class <i>Certificate of Collective Action (Exhibit 18)</i> , <u>9</u> MOTION for Order <i>Certification of Class Action Defendant's Response To Plaintiff's Motion For Certification Of Collective Action</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Exhibit 1A-Court's Order# <u>2</u> Exhibit 1B - Spanish# <u>3</u> Exhibit 2 - Court's Notice)(Stine, James) (Entered: 08/15/2005)
08/26/2005	<u>25</u>	NOTICE by Escolastico De Leon-Granados <i>Filing Consents to Join</i> (Attachments: # <u>1</u> Exhibit Omar Consent# <u>2</u> Exhibit Samuel# <u>3</u> Exhibit Nelson# <u>4</u> Exhibit Marcial)(Spears, George) (Entered: 08/26/2005)
08/26/2005	<u>26</u>	Amended Initial Disclosures by Escolastico De Leon-Granados.(Spears, George) (Entered: 08/26/2005)
08/30/2005	<u>27</u>	for Leave of Absence for the following date(s): 9/23/05-9/26/05, 10/7/05 - 10/10/05, 10/27/05 - 10/30/05, 11/23/05 - 11/28/05, 12/23/05 - 12/31/05, by George Brian Spears. (Spears, George) (Entered: 08/30/2005)
09/01/2005	<u>28</u>	REPLY BRIEF re <u>17</u> MOTION to Certify Class <i>Certificate of Collective Action</i> , <u>19</u> MOTION to Certify Class <i>Certificate of Collective Action (Exhibit 18)</i> filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Plaintiffs' Proposed Notice# <u>2</u> Exhibit Plaintiffs' Proposed Consent-to-Sue Form# <u>3</u> Affidavit Declaration of Cathleen Caron# <u>4</u> Exhibit Vergara-Perdomo v. Wendell Roberson, Inc.# <u>5</u> Exhibit Reyes v. Mongiello)(Bauer, Mary) (Entered: 09/01/2005)
09/06/2005	<u>29</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendant's First and Partial Response To Plaintiffs' First Request For Production of Documents To Defendant Eller & Sons Trees, Inc.</i> (Stine, James) (Entered: 09/06/2005)
09/06/2005	<u>30</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendants' First and Partial Response To Plaintiff Escolastico De Leon-Granados' First Interrogatories</i> (Stine, James) (Entered: 09/06/2005)
09/07/2005	<u>31</u>	NOTICE Of Filing Plaintiffs' Third Notice of Filing FLSA Consent-to-Sue Forms by Escolastico De Leon-Granados (Attachments: # <u>1</u> Consent- to-Sue Form of Alberto Diaz-Diaz# <u>2</u> Consent-to-Sue Form of Aureliano Rivas-Lucas# <u>3</u>

		Consent-to-Sue Form of Juan Aguilar-Vasquez# <u>4</u> Consent-to-Sue Form of Jose Ruiz-Rodriguez)(Bauer, Mary) (Entered: 09/07/2005)
09/08/2005	<u>32</u>	NOTICE Of Filing Plaintiffs' Fourth Notice of Filing Consents to Join FLSA Collective Action by Escolastico De Leon-Granados (Attachments: # <u>1</u> Consent-to-Sue Form of Hermelindo Jesus Castillo# <u>2</u> Consent-to-Sue Form of Marvin Vallardo Castillo)(Bauer, Mary) (Entered: 09/08/2005)
09/19/2005	<u>33</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>for Defendants' R</i> Esponse to Plaintiff Escolastico De Leon-Granados' First Interrogatories (Stine, James) (Entered: 09/19/2005)
09/19/2005	<u>34</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendants' Response to Plaintiffs' First Request for Production of Documents to Defendant</i> (Stine, James) (Entered: 09/19/2005)
09/21/2005	<u>35</u>	NOTICE of Hearing:Scheduling Conference set for 10/12/2005 04:00 PM before Judge Clarence Cooper. (pds) (Entered: 09/21/2005)
10/11/2005	<u>36</u>	NOTICE Of Filing FLSA opt-ins by Escolastico De Leon-Granados <i>et. al.</i> (Attachments: # <u>1</u> Exhibit Jose Maria Tomas-Recinos FLSA Consent to Sue# <u>2</u> Exhibit Sergio Roldan FLSA Consent to Sue# <u>3</u> Exhibit Alejandro Luis Morales FLSA Consent to Sue)(Bauer, Mary) (Entered: 10/11/2005)
10/11/2005	<u>37</u>	First MOTION to Compel Production of Documents with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief Memorandum of Law In Support of Plaintiff's Motion to Compel Production of Documents# <u>2</u> Exhibit Plaintiffs' Exhibit 24# <u>3</u> Exhibit Plaintiffs' Exhibit 25# <u>4</u> Exhibit Plaintiffs' Exhibit 26)(Bauer, Mary) (Entered: 10/11/2005)
10/11/2005	<u>38</u>	First MOTION to Compel Responses to Interrogatories with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief Memorandum of Law In Support of Plaintiff's Motion to Compel Responses to Interrogatories# <u>2</u> Exhibit Plaintiffs' Exhibit 17# <u>3</u> Exhibit Plaintiffs' Exhibit 24# <u>4</u> Exhibit Plaintiffs' Exhibit 25# <u>5</u> Exhibit Plaintiffs' Exhibit 26)(Bauer, Mary) (Entered: 10/12/2005)
10/12/2005	<u>41</u>	Minute Entry for proceedings held before Judge Clarence Cooper : Scheduling Conference held on 10/12/2005. Hrg on motion for class certification. Court denied w/o prejudice motion for class certification to allow parties to conduct discovery regarding certification issues. Court granted plas' motion for preliminary certification of collective action and for disclosure of names, addresses & phone numbers of potential Opt-In plas. Discovery track changed to 8 month. Cnsl to prepare order. (Court Reporter Amanda Lohnaas.)(vs) (Entered: 10/17/2005)
10/14/2005	<u>39</u>	MOTION for Leave to File Excess Pages by Escolastico De Leon-Granados. (Spears, George) (Entered: 10/14/2005)
10/14/2005	<u>40</u>	MOTION for Leave to File Excess Pages by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Proposed Order)(Spears, George) Modified on 10/17/2005 (vs). (Entered: 10/14/2005)
10/18/2005	<u>42</u>	NOTICE by Eller and Sons Trees, Inc., Jerry Eller <i>of Submission of Names, Last Known Addresses, and Telephone Numbers</i> (Stine, James) (Entered: 10/18/2005)
10/18/2005	<u>43</u>	ORDER denying <u>9</u> Motion for Order Certification of Class Action, granting <u>17</u> Motion for Preliminary Certification of Collective Action and for Disclosure of the Names, Addresses and Telephone Number of Potential Opt-In Plas. Signed by Judge Clarence Cooper on 10/18/05. (vs) (Entered: 10/19/2005)
10/18/2005	<u>44</u>	ORDER granting <u>40</u> Motion for Leave to File Excess Pages . Signed by Judge Clarence Cooper on 10/18/05. (vs) (Entered: 10/19/2005)
10/20/2005	<u>45</u>	ORDER re <u>13</u> Preliminary Report and Discovery Schedule filed by Jerry Eller,, Eller and Sons Trees, Inc., The discovery period is herby extended for an additional four months. Discovery ends on 3/25/2005. Signed by Judge Clarence Cooper on 10/20/05. (vs) (Entered: 10/24/2005)

10/24/2005	<u>48</u>	TRANSCRIPT of Proceedings held on 10/12/05 before Judge Clarence Cooper. Court Reporter: Amanda Lohnaas. (vs) (Entered: 10/27/2005)
10/25/2005	<u>46</u>	RESPONSE in Opposition re <u>37</u> First MOTION to Compel Production of Documents filed by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Exhibit Sample Score Sheet)(Stine, James) (Entered: 10/25/2005)
10/26/2005	<u>47</u>	RESPONSE in Opposition re <u>38</u> First MOTION to Compel Responses to Interrogatories filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 10/26/2005)
10/28/2005	<u>49</u>	TRANSCRIPT of Proceedings held on 10/12/05 before Judge Clarence Cooper. Court Reporter: Amanda Lohnaas. (vs) (Entered: 11/01/2005)
10/31/2005		Submission of <u>46</u> Response in Opposition to Motion, <u>47</u> Response in Opposition to Motion, <u>37</u> First MOTION to Compel Production of Documents, <u>38</u> First MOTION to Compel Responses to Interrogatories, submitted to District Judge Clarence Cooper. (vs) (Entered: 10/31/2005)
11/10/2005	<u>50</u>	REPLY BRIEF re <u>37</u> First MOTION to Compel Production of Documents filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit 27# <u>2</u> Exhibit Plaintiffs' Exhibit 28# <u>3</u> Exhibit Plaintiffs' Exhibit 29)(Spears, George) (Entered: 11/10/2005)
11/11/2005	<u>51</u>	REPLY BRIEF re <u>38</u> First MOTION to Compel Responses to Interrogatories filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit 27# <u>2</u> Exhibit Plaintiffs' Exhibit 28)(Spears, George) (Entered: 11/11/2005)
12/12/2005	<u>52</u>	NOTICE by Herman Osbeli Recinos-Martinez <i>Filing Withdrawal of Consent to Sue Form</i> (Attachments: # <u>1</u> Affidavit Affidavit of Herman Osbeli Recinos Martinez)(Spears, George) (Entered: 12/12/2005)
12/14/2005	<u>53</u>	NOTICE Of Filing by Escolastico De Leon-Granados (Attachments: # <u>1</u> FLSA Consent to Sue Form Ruben Perez-Lucas# <u>2</u> FLSA Consent to Sue Form Rosanio Concepcion-Matias)(Spears, George) (Entered: 12/14/2005)
12/21/2005	<u>54</u>	NOTICE Of Filing by Escolastico De Leon-Granados (Attachments: # <u>1</u> Felix Morales-Antonio FLSA Consent-to-Sue Form)(Spears, George) (Entered: 12/21/2005)
01/06/2006	<u>55</u>	OBJECTION to <i>Plaintiffs' Notice of Depositions for 30(b)(6) Deposition</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 01/06/2006)
01/11/2006	<u>56</u>	Notice for Leave of Absence for the following date(s): 2/18-2/19/06, 3/28-4/3/06, 5/25-5/28/06, 6/22-6/25/06, 7/14-7/19/06, 10/11-10/16/06, by George Brian Spears. (Spears, George) Modified on 1/12/2006 (vs). (Entered: 01/11/2006)
01/16/2006	<u>57</u>	Notice of Leave of Absence, by George Brian Spears. (Spears, George) (Entered: 01/16/2006)
01/17/2006	<u>58</u>	CERTIFICATE OF SERVICE for <i>Defendant's Response to No. 55-61 of Plaintiff's First Request for Admissions to Defendants</i> by Eller and Sons Trees, Inc., Jerry Eller.(Stine, James) (Entered: 01/17/2006)
01/24/2006	<u>59</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>Notice of Filing Consent to Join FLSA Collective Action</i> (Attachments: # <u>1</u> Consent to Sue Form of Protasio Burgos-Maldonado)(Spears, George) (Entered: 01/24/2006)
01/24/2006	<u>60</u>	CERTIFICATE OF SERVICE of <i>Defendants' REsponse to No. 1-54 of Plaintiffs' First Request for Admissions to Defendants</i> by Eller and Sons Trees, Inc., Jerry Eller.(Stine, James) (Entered: 01/24/2006)
01/25/2006	<u>61</u>	NOTICE Of Filing by Margarito Recinos-Villatoro <i>Notice of Withdrawal</i> (Attachments: # <u>1</u> Affidavit Second Affidavit of Margarito Recinos-Villatoro)(Spears, George) (Entered: 01/25/2006)
01/29/2006	<u>62</u>	Second MOTION for Leave to File Excess Pages by Escolastico De Leon-Granados. (Spears, George) (Entered: 01/29/2006)

01/31/2006	<u>63</u>	MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Memorandum of Law Supporting Plaintiffs' Renewed Motion for Certification of Class Action)(Spears, George) (Entered: 01/31/2006)
02/02/2006	<u>64</u>	NOTICE Of Filing Plaintiffs' Renewed Motion for Certification of Class Action by Escolastico De Leon-Granados re <u>63</u> MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action Exhibits 30-35d</i> (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit 30# <u>2</u> Exhibit Plaintiffs' Exhibit 31# <u>3</u> Exhibit Plaintiffs' Exhibit 32a# <u>4</u> Exhibit Plaintiffs' Exhibit 32b# <u>5</u> Exhibit Plaintiffs' Exhibit 33a# <u>6</u> Exhibit Plaintiffs' Exhibit 33b1# <u>7</u> Exhibit Plaintiffs' Exhibit 33b2# <u>8</u> Exhibit Plaintiffs' Exhibit 34# <u>9</u> Exhibit Plaintiffs' Exhibit 35a# <u>10</u> Exhibit Plaintiffs' Exhibit 35b# <u>11</u> Exhibit Plaintiffs' Exhibit 35c# <u>12</u> Exhibit Plaintiffs' Exhibit 35d)(Spears, George) (Entered: 02/02/2006)
02/02/2006	<u>65</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>63</u> MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action Plaintiffs' Exhibits 36-40</i> (Attachments: # <u>1</u> Plaintiffs' Exhibit 36# <u>2</u> Plaintiffs' Exhibit 37# <u>3</u> Plaintiffs' Exhibit 38# <u>4</u> Plaintiffs' Exhibit 39# <u>5</u> Plaintiffs' Exhibit 40)(Spears, George) Modified on 2/6/2006 to correct duplicate wording(vs). (Entered: 02/02/2006)
02/02/2006	<u>66</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>63</u> MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action Plaintiffs' Exhibits 41-45</i> (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit 41# <u>2</u> Exhibit Plaintiffs' Exhibit 42# <u>3</u> Exhibit Plaintiffs' Exhibit 43# <u>4</u> Exhibit Plaintiffs' Exhibit 44# <u>5</u> Exhibit Plaintiff's Exhibit 45)(Spears, George) (Entered: 02/02/2006)
02/02/2006	<u>67</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>63</u> MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action Plaintiffs' Exhibits 46-50</i> (Attachments: # <u>1</u> Plaintiffs' Exhibit 46# <u>2</u> Plaintiffs' Exhibit 47# <u>3</u> Plaintiffs' Exhibit 48a1# <u>4</u> Plaintiffs' Exhibit 48a2# <u>5</u> Plaintiffs' Exhibit 48a3# <u>6</u> Plaintiffs' Exhibit 48a4# <u>7</u> Plaintiffs' Exhibit 48a5# <u>8</u> Plaintiffs' Exhibit 48b1# <u>9</u> Plaintiffs' Exhibit 48b2# <u>10</u> Plaintiffs' Exhibit 48b3# <u>11</u> Plaintiffs' Exhibit 48b4# <u>12</u> Plaintiffs' Exhibit 48b5# <u>13</u> Plaintiffs' Exhibit 48b6# <u>14</u> Plaintiffs' Exhibit 48b7# <u>15</u> Plaintiffs' Exhibit 49# <u>16</u> Plaintiffs' Exhibit 50)(Spears, George) Modified on 2/6/2006 to delete duplicate wording(vs). (Entered: 02/02/2006)
02/02/2006	<u>68</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>63</u> MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action Plaintiffs' Exhibits 51-55</i> (Attachments: # <u>1</u> Plaintiffs' Exhibit 51# <u>2</u> Plaintiffs' Exhibit 52# <u>3</u> Plaintiffs' Exhibit 53# <u>4</u> Plaintiffs' Exhibit 54# <u>5</u> Plaintiffs' Exhibit 55)(Spears, George) Modified on 2/6/2006 to delete duplicate wording(vs). (Entered: 02/02/2006)
02/07/2006	<u>69</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>FLSA Consent to Sue Form</i> (Attachments: # <u>1</u> Consent to Sue Form of Antonio Pablo Roldan-Coban)(Spears, George) (Entered: 02/07/2006)
02/07/2006	<u>70</u>	First AMENDED COMPLAINT against all defendants, filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Pl. Ex. 56 - Defendants Written Consent to Amendment of Complaint)(Spears, George) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 02/07/2006)
02/09/2006	<u>71</u>	ORDER granting (nunc pro tunc) <u>62</u> Motion for Leave to File Excess Pages . Signed by Judge Clarence Cooper on 2/9/06. (vs) (Entered: 02/09/2006)
02/10/2006		Submission of <u>61</u> Notice of Filing of withdrawal, submitted to District Judge Clarence Cooper. (voluntary dismissal by Margarito Recinos-Villatoro, answer filed) (vs) (Entered: 02/10/2006)
02/14/2006	<u>72</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>FLSA Consent to Sue Form</i> (Attachments: # <u>1</u> FLSA Consent to Sue Form of Cristobal Lucano Gutierrez)(Spears, George) (Entered: 02/14/2006)
02/14/2006	<u>73</u>	Unopposed MOTION for Extension of Time to Respond to Plaintiff's Motion for Certification of Class by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 02/14/2006)

02/15/2006	<u>74</u>	ORDER granting <u>73</u> Motion for Extension of Time to repond to pla's motion for certification of class. Dfts' response shall be due on February 28, 2006, and plas' reply shall be due 10 days thereafter. Signed by Judge Clarence Cooper on 2/15/06. (vs) (Entered: 02/15/2006)
02/28/2006	<u>75</u>	MOTION for Leave to File Excess Pages by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 02/28/2006)
02/28/2006	<u>76</u>	RESPONSE in Opposition re <u>63</u> MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Exhibit 1# <u>2</u> Exhibit 2# <u>3</u> Exhibit 3# <u>4</u> Exhibit 4# <u>5</u> Exhibit 5# <u>6</u> eller and sons depo.# <u>7</u> Oziel Matias depo.# <u>8</u> Margarito Villatoro depo.# <u>9</u> Escolastico De Leon Granados depo.# <u>10</u> Armenio Pablo-Calmo# <u>11</u> Isaias Granados depo.# <u>12</u> Ogler Recinos depo.# <u>13</u> Edy Garcia depo.# <u>14</u> Argelio Villatoro depo.)(Stine, James) (Entered: 02/28/2006)
03/01/2006	<u>77</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>Consent to Sue Form</i> (Attachments: # <u>1</u> Consent to Sue Form of Agustin Soto Rios)(Spears, George) (Entered: 03/01/2006)
03/03/2006		Submission of <u>76</u> Response in Opposition to Motion,,, <u>63</u> MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 03/03/2006)
03/07/2006	<u>78</u>	First MOTION for Extension of Time to Complete Discovery <i>Joint Motion</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order Proposed Order Amending Scheduling Order)(Spears, George) (Entered: 03/07/2006)
03/17/2006		Submission of <u>75</u> MOTION for Leave to File Excess Pages, submitted to District Judge Clarence Cooper. (vs) (Entered: 03/17/2006)
03/17/2006	<u>79</u>	REPLY BRIEF re <u>63</u> MOTION to Certify Class <i>Plaintiffs' Renewed Motion for Certification of Class Action</i> filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Pl. Ex. 57# <u>2</u> Exhibit Pl. Ex. 58# <u>3</u> Exhibit Pl. Ex. 59# <u>4</u> Exhibit Pl. Ex. 60# <u>5</u> Exhibit Pl. Ex. 61# <u>6</u> Exhibit Pl. Ex. 62# <u>7</u> Exhibit Pl. Ex. 63a# <u>8</u> Exhibit Pl. Ex. 63 b# <u>9</u> Exhibit Pl. Ex. 63c)(Spears, George) (Entered: 03/17/2006)
03/21/2006	<u>80</u>	ORDER granting (nucn pro tunc) <u>75</u> Motion for Leave to File Excess Pages . Signed by Judge Clarence Cooper on 3/21/06. (vs) (Entered: 03/21/2006)
03/21/2006	<u>81</u>	ORDER granting <u>78</u> Joint Motion to Amend Scheduling Order. The Court Orders that the discovery period in this matter shall be extended to conclude 8 months from the date the Court issues its decision on plas' renewed Motion for Certification of Class Action. Signed by Judge Clarence Cooper on 3/21/06. (vs) (Entered: 03/21/2006)
03/22/2006	<u>82</u>	NOTICE of TELECONFERENCE Hearing:Status Conference set for 3/28/2006 04:00 PM before Judge Clarence Cooper. (pds) (Entered: 03/22/2006)
03/22/2006	<u>83</u>	First MOTION for Issuance of Letters Rogatory by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order Letter Rogatory# <u>2</u> Appendix A to Pl.'s Letter Rogatory# <u>3</u> Spanish Translation of Pl.'s Letter Rogatory)(Spears, George) (Entered: 03/22/2006)
03/28/2006	<u>85</u>	Minute Entry for proceedings held before Judge Clarence Cooper : Status Conference held on 3/28/2006. Parties updated Court as to status of issues raised in motions to compel. Dfts to file answer to 1st Amended Cmp. (Court Reporter Amanda Lohnaas.)(vs) (Entered: 03/31/2006)
03/29/2006	<u>84</u>	ANSWER to Amended Complaint by Eller and Sons Trees, Inc., Jerry Eller.(Stine, James) Please visit our website at http://www.gand.uscourts.gov to obtain Pretrial Instructions. (Entered: 03/29/2006)
03/31/2006	<u>86</u>	MOTION for Leave to File Memorandum of Law in Surreply to Reply in Support of Plaintifffs' Renewed Motion for Class Certification with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 03/31/2006)

04/04/2006	<u>87</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>FLSA Consent to Sue Form</i> (Attachments: # <u>1</u> Consent to Sue Form of Lauro Castillo Gonzalez)(Spears, George) (Entered: 04/04/2006)
04/06/2006	<u>88</u>	NOTICE Of Filing by Escolastico De Leon-Granados (Attachments: # <u>1</u> FLSA Consent Form of Casimiro Silverio-Lopez)(Spears, George) (Entered: 04/06/2006)
04/12/2006	<u>89</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>FLSA Consent to Sue Form</i> (Attachments: # <u>1</u> Consent to Sue Form of Santos Mendez-Gomez# <u>2</u> Order Appointing Administrator Ad Litem of Mendez-Gomez Estate)(Spears, George) (Entered: 04/12/2006)
04/13/2006	<u>90</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>FLSA Consent to Sue Form</i> (Attachments: # <u>1</u> FLSA Consent to Sue Form of Rudy Velasquez-Rivas)(Spears, George) (Entered: 04/13/2006)
04/13/2006	<u>91</u>	RESPONSE in Opposition re <u>86</u> MOTION for Leave to File Memorandum of Law in Surreply to Reply in Support of Plaintiffs' Renewed Motion for Class Certification filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 04/13/2006)
04/13/2006	<u>92</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>Consent to Sue</i> (Attachments: # <u>1</u>)(Spears, George) (Entered: 04/13/2006)
04/19/2006		Submission of <u>83</u> First MOTION for Issuance of Letters Rogatory, <u>86</u> MOTION for Leave to File Memorandum of Law in Surreply to Reply in Support of Plaintiffs' Renewed Motion for Class Certification, <u>91</u> Response in Opposition to Motion, submitted to District Judge Clarence Cooper. (vs) (Entered: 04/19/2006)
07/10/2006	<u>93</u>	MOTION for Leave to File Motion for Leave Response to Def. Ltr. with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Supplement Suppl. Brief Response to Def. Ltr.# <u>2</u> Exhibit Plaintiff's Exhibit 64)(Spears, George) (Entered: 07/10/2006)
07/13/2006	<u>94</u>	RESPONSE in Opposition re <u>93</u> MOTION for Leave to File Motion for Leave Response to Def. Ltr. filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 07/13/2006)
07/14/2006		Submission of <u>93</u> MOTION for Leave to File Motion for Leave Response to Def. Ltr., <u>94</u> Response in Opposition to Motionsubmitted to District Judge Clarence Cooper. (vs) (Entered: 07/14/2006)
07/20/2006	<u>95</u>	First MOTION to Compel Compliance with Subpoena Duces Tecum with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief Memorandum of Law Supporting Pl. Motion to Compel# <u>2</u> Exhibit Pl. Ex. 65# <u>3</u> Exhibit Pl. Ex. 66# <u>4</u> Exhibit Pl. Ex. 67# <u>5</u> Exhibit Pl. Ex. 68# <u>6</u> Exhibit Pl. Ex. 69)(Spears, George) (Entered: 07/20/2006)
08/07/2006	<u>96</u>	RESPONSE in Opposition re <u>95</u> First MOTION to Compel Compliance with Subpoena Duces Tecum filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 08/07/2006)
08/16/2006		Submission of <u>95</u> First MOTION to Compel Compliance with Subpoena Duces Tecum, <u>96</u> Response in Opposition to Motion, submitted to District Judge Clarence Cooper. (vs) (Entered: 08/16/2006)
08/24/2006	<u>97</u>	Notice for Leave of Absence for the following date(s): 10/18/06 – 10/22/06, by George Brian Spears. (Spears, George) (Entered: 08/24/2006)
08/30/2006	<u>98</u>	NOTICE Of Filing by Escolastico De Leon-Granados <i>Supplemental Authority in Support of Plaintiffs' Renewed Motion for Certification of Class Action</i> (Attachments: # <u>1</u> Exhibit Pl. Ex. 70)(Spears, George) (Entered: 08/30/2006)
09/05/2006	<u>99</u>	MOTION for Leave to File Response to Plaintiffs' Supplemental Authority in Support of Its Renewed Motion for Certification of Class Action with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Proposed Response)(Stine, James) Modified on 9/6/2006 to name attachment(vs). (Entered: 09/05/2006)

09/28/2006	<u>100</u>	ORDER granting <u>63</u> Motion to Certify Class Plaintiffs' Renewed Motion for Certification of Class Action, granting <u>86</u> Motion for Leave to File Memorandum of Law in Surreply to Reply in Support of Plaintiffs' Renewed Motion for Class Certification, denying <u>93</u> Motion for Leave to File Response to Def. Ltr, granting <u>99</u> Motion for Leave to File Response to Plaintiffs' Supplemental Authority in Support of Its Renewed Motion for Certification of Class Action; The Court hereby Certifies a class as to Cnt I of the First Amended Cmp, The Court hereby Certifies a sub-class as to Cnt I of the First Amended Cmp(See Order for details). The Court Appoints the Southern Poverty Law Center as class counsel. The Court Orders the parties to confer and jointly draft a proposed notice of class certification no later than Mondy, October 16, 2006. The Court will hold a telephone conference in this case on Wednesday, October 23, 2006, at 4:00 pm to discuss the notice of class certification and the Request for International Judicail Assistance. Signed by Judge Clarence Cooper on 9/28/06. (vs) (Entered: 09/29/2006)
09/28/2006	<u>101</u>	ORDER granting in part and denying in part <u>37</u> Motion to Compel Production of Documents, granting in part and denying in part <u>38</u> Motion to Compel Responses to Interrogatories, granting <u>95</u> Motion to Compel Compliance with Subpoena Duces Tecum . Signed by Judge Clarence Cooper on 9/28/06. (vs) (Entered: 09/29/2006)
10/16/2006	<u>102</u>	MOTION to Stay <i>Pending Petition for Permission to Appeal</i> with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 10/16/2006)
10/22/2006	<u>103</u>	MOTION for Order <i>Approving Proposed Class Action Notice and Opt-Out Form</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Memorandm of Law Supporting Plaintiffs' Motion for Court Approval of Proposed Class Action Notice and Opt-Out Form# <u>2</u> Text of Proposed Order # <u>3</u> Appendix Appendix A Proposed Notice of Class Action Lawsuit# <u>4</u> Appendix Appendix B Form to Withdraw From Lawsuit# <u>5</u> Exhibit Pl. Ex. 71# <u>6</u> Exhibit Pl. Ex. 72# <u>7</u> Exhibit Pl. Ex. 73# <u>8</u> Exhibit Pl. Ex. 74)(Spears, George) (Entered: 10/22/2006)
10/23/2006	<u>105</u>	Minute Entry for proceedings held before Judge Clarence Cooper : Telephone Conference re motion for issuance of Letter Rogatory held on 10/23/2006. (Court Reporter Amanda Lohnaas.)(vs) (Entered: 10/25/2006)
10/24/2006	<u>104</u>	ORDER granting as unopposed <u>83</u> Motion for Issuance of Letters Rogatory. The Court Directs plas to provide the Court with a corrected Letter Rogatory for the Court's signature and seal. Signed by Judge Clarence Cooper on 10/24/06. (vs) (Entered: 10/24/2006)
10/27/2006	<u>106</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>105</u> Telephone Conference, <u>104</u> Order on Motion for Issuance of Letters Rogatory <i>Amended Letter Rogatory</i> (Attachments: # <u>1</u> Amended Letter Rogatory)(Spears, George) (Entered: 10/27/2006)
10/30/2006	<u>107</u>	RESPONSE in Opposition re <u>102</u> MOTION to Stay <i>Pending Petition for Permission to Appeal</i> filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 10/30/2006)
11/02/2006		Submission of <u>102</u> MOTION to Stay <i>Pending Petition for Permission to Appeal</i> , <u>107</u> Response in Opposition to Motion, submitted to District Judge Clarence Cooper. (vs) (Entered: 11/02/2006)
11/02/2006	<u>108</u>	Letter Rogatory issued and original sent to Brian Spears, attorney for Plaintiff re <u>104</u> Order on Motion for Issuance of Letters Rogatory (vs) (Entered: 11/02/2006)
11/09/2006	<u>109</u>	NOTICE OF APPEAL as to <u>101</u> Order on Motion to Compel, <u>100</u> Order on Motion to Certify Class, Order on Motion for Leave to File, by Jerry Eller. Filing fee \$ 455. Transcript Order Form due on 11/27/2006. USCA 06-90027-E. (fem) (Entered: 11/15/2006)
11/13/2006	<u>111</u>	TRANSCRIPT ORDER FORM re <u>109</u> Notice of Appeal. USCA Appeal Number 06-90027-ENo hearing.(fem) (Entered: 11/15/2006)
11/15/2006	<u>110</u>	Certified copy of ORDER of USCA GRANTING appellant's permission to appeal re: <u>109</u> Notice of Appeal filed by Jerry Eller, Case Appealed to USCA Case Number 06-90027-E. (fem) (Entered: 11/15/2006)

11/15/2006	<u>112</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller (<i>Defendants' Supplemental Response to Plaintiff Escolastico De Leon-Granados' First Set of Interrogatories to Defendant Eller & Sons Trees, Inc.</i> (Stine, James) (Entered: 11/15/2006)
11/15/2006	<u>113</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller (<i>Defendants' Supplemental Response to Plaintiffs' First Request for Production of Documents to Defendant Eller & Sons Trees, Inc.</i>) (Stine, James) (Entered: 11/15/2006)
11/17/2006	<u>114</u>	ORDER denying <u>102</u> Motion to Stay Pending Petition for Permission to Appeal. Signed by Judge Clarence Cooper on 11/17/06. (vs) (Entered: 11/17/2006)
11/17/2006		USCA Appeal Fees received \$ 455 receipt number 558341 re <u>109</u> Notice of Appeal filed by Jerry Eller, Case Appealed to USCA Case Number 06-90027-E. Notified USCA. (fem) (Entered: 11/20/2006)
11/22/2006		Per USCA, no transmission of NOA package necessary for <u>109</u> Notice of Appeal. USCA Case No. 06-15876-C. (dfb) (Entered: 11/22/2006)
11/29/2006		Submission of <u>103</u> MOTION for Order <i>Approving Proposed Class Action Notice and Opt-Out Form</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 11/29/2006)
12/05/2006	<u>115</u>	PROPOSED CONSENT ORDER Consent Protective Order as to the production of a list of Defendant's customers/clients. (Stine, James) (Entered: 12/05/2006)
12/05/2006	<u>116</u>	Joint MOTION for Protective Order by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Consent Protective Order)(Stine, James) (Entered: 12/05/2006)
12/08/2006	<u>117</u>	CONSENT PROTECTIVE ORDER Signed by Judge Clarence Cooper on 12/8/06. (vs) (Entered: 12/08/2006)
12/20/2006		CERTIFICATE OF READINESS of Appeal Record re <u>109</u> Notice of Appeal filed by Jerry Eller,. USCA Case Number 06-15876-C (fem) (Entered: 12/20/2006)
12/20/2006	<u>118</u>	Certified copy of CERTIFICATE OF READINESS transmitted to USCA re <u>109</u> Notice of Appeal. Case Appealed to USCA Case Number 06-15876-C (fem) (Entered: 12/20/2006)
12/27/2006	<u>119</u>	USCA Acknowledgment of receipt of certificate of readiness re <u>109</u> Notice of Appeal filed by Jerry Eller,. Case Appealed to USCA Case Number 06-15876-C. (fem) (Entered: 12/29/2006)
01/08/2007	<u>120</u>	Notice for Leave of Absence for the following date(s): 3/8/07 - 3/20/07, by George Brian Spears. (Spears, George) (Entered: 01/08/2007)
02/13/2007	<u>121</u>	FORTHWITH LETTER from USCA re <u>109</u> Notice of Appeal filed by Jerry Eller,. Case Appealed to USCA Case Number 06-15876-CC. Appeal Record due by 2/22/2007. (fem) (Entered: 02/13/2007)
02/21/2007	<u>122</u>	Certified and Transmitted Record on Appeal to US Court of Appeals re <u>109</u> Notice of Appeal Case Appealed to USCA Case Number 06-15876-CC. (fem) (Entered: 02/21/2007)
02/22/2007	<u>123</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>for Defendant's First Interrogatories and Request for Procution of Documents to Plaintiff Class</i> (Stine, James) (Entered: 02/22/2007)
02/26/2007	<u>124</u>	USCA Acknowledgment of receipt of record on appeal re <u>109</u> Notice of Appeal filed by Jerry Eller,. Case Appealed to USCA Case Number 06-15376-C. (fem) (Entered: 02/27/2007)
02/27/2007	<u>125</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>for Defendants' Interrogatories and REquest for PProduction of Documents to Each Individual Plaintiff.</i> (Stine, James) (Entered: 02/27/2007)
02/28/2007	<u>126</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>for Defendants' Interrogatories and REquest for Production of Documents to Individual Plaintiffs</i> (Stine, James) (Entered: 02/28/2007)

03/12/2007	<u>127</u>	APPLICATION for Admission of Erin Trodden Pro Hac Vice on behalf of Plaintiffs.Filing Fee received \$150.00, Receipt #562603. (Attachments: # <u>1</u> Order on Appearance)(vs) (Entered: 03/16/2007)
03/20/2007	<u>128</u>	ORDER granting <u>127</u> Application of Erin Trodden for Admission Pro Hac Vice. Signed by Judge Clarence Cooper on 3/20/07. (vs) (Entered: 03/21/2007)
03/25/2007	<u>129</u>	NOTICE by Rosanio Concepcion-Matias <i>Notice of Withdrawal of Consent to Join FLSA Collective Action</i> (Spears, George) (Entered: 03/25/2007)
04/01/2007	<u>130</u>	First MOTION for Protective Order <i>Limiting Discovery From Absent Class Members</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief Memorandum of Law Supporting Plaintiffs' Motion for Protective Order# <u>2</u> Text of Proposed Order Proposed Protective Order Limiting Discovery# <u>3</u> Exhibit Pl. Ex. 75# <u>4</u> Exhibit Pl. Ex. 76# <u>5</u> Exhibit Pl. Ex. 77# <u>6</u> Exhibit Pl. Ex. 78# <u>7</u> Exhibit Pl. Ex. 79# <u>8</u> Exhibit Pl. Ex. 80)(Spears, George) (Entered: 04/01/2007)
04/10/2007	<u>131</u>	CERTIFICATE of Counsel <i>Certificate of Mailing Notice of Class Action Lawsuit</i> by George Brian Spears on behalf of all plaintiffs (Attachments: # <u>1</u> Exhibit Pl Ex 81# <u>2</u> Exhibit PL Ex 82)(Spears, George) (Entered: 04/10/2007)
04/13/2007	<u>132</u>	RESPONSE in Opposition re <u>130</u> First MOTION for Protective Order <i>Limiting Discovery From Absent Class Members</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 04/13/2007)
04/13/2007	<u>133</u>	DOCUMENT FILING ERROR RESPONSE in Opposition re <u>130</u> First MOTION for Protective Order <i>Limiting Discovery From Absent Class Members</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) Modified on 4/16/2007 (vs). (Entered: 04/13/2007)
04/16/2007		Notification of Docket Correction re <u>133</u> Response in Opposition to Motion. Document duplicate to previous <u>132</u> filing. (vs) (Entered: 04/16/2007)
04/16/2007		Submission of <u>132</u> Response in Opposition to Motion, <u>130</u> First MOTION for Protective Order <i>Limiting Discovery From Absent Class Members</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 04/16/2007)
04/18/2007	<u>134</u>	Notice for Leave of Absence for the following date(s): 5/17/07-5/21/07, 7/3/07-7/12/07, 8/2/07-8/7/07, 9/27/07-10/1/07, 10/31/07-11/5/07, by George Brian Spears. (Spears, George) (Entered: 04/18/2007)
04/21/2007	<u>135</u>	REPLY BRIEF re <u>130</u> First MOTION for Protective Order <i>Limiting Discovery From Absent Class Members</i> filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 04/21/2007)
04/25/2007	<u>136</u>	Emergency MOTION to Amend <u>81</u> Order on Motion for Extension of Time to Complete Discovery, with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order # <u>2</u> Exhibit Pl. Ex. 83# <u>3</u> Exhibit Pl. Ex. 84# <u>4</u> Exhibit Pl. Ex. 85)(Spears, George) (Entered: 04/25/2007)
04/26/2007	<u>137</u>	ORDER re <u>136</u> Emergency MOTION to Amend Scheduling Order, the Court Orders dfts Eller and Sons Trees, Inc. and Jerry Eller to file a response to the motion by Monday April 30, 2007. Any reply in support of the motion should be filed by Wednesday, May, 2, 2007. Signed by Judge Clarence Cooper on 4/26/07. (vs) (Entered: 04/26/2007)
04/30/2007	<u>138</u>	RESPONSE in Opposition re <u>136</u> Emergency MOTION to Amend <u>81</u> Order on Motion for Extension of Time to Complete Discovery, Emergency MOTION to Amend <u>81</u> Order on Motion for Extension of Time to Complete Discovery, filed by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Exhibit Southern Poverty's Financial Statement)(Stine, James) (Entered: 04/30/2007)
05/02/2007	<u>139</u>	REPLY BRIEF re <u>136</u> Emergency MOTION to Amend <u>81</u> Order on Motion for Extension of Time to Complete Discovery, Emergency MOTION to Amend <u>81</u> Order on Motion for Extension of Time to Complete Discovery, filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Pl. Ex. 86)(Spears, George) (Entered: 05/02/2007)

05/03/2007		Submission of <u>136</u> Emergency MOTION to Amend <u>81</u> Order on Motion for Extension of Time to Complete Discovery, Emergency MOTION to Amend <u>81</u> Order on Motion for Extension of Time to Complete Discovery,, <u>139</u> Reply Brief, <u>138</u> Response in Opposition to Motion,, submitted to District Judge Clarence Cooper. (vs) (Entered: 05/03/2007)
05/09/2007	<u>140</u>	Minute Entry for proceedings held before Judge Clarence Cooper : Telephone Conference held on 5/9/2007. Hrg on plas motion for protective order limiting discovery from absent members and plas' emergency motion to amend scheduling order. Court granted motion for protective order; Court granted in part and denied in part emergency motion to amend scheduling order. Discovery period extended two months. Court denied dfts' requests for sanctions. Cnsl for plas' to prepare order & submit by Friday, May 11, 2007. (Court Reporter Amanda Lohnaas.)(vs) (Entered: 05/09/2007)
05/11/2007	<u>141</u>	PROPOSED ORDER Order Regarding Plaintiffs' Motion for Protective Order and Modification of Scheduling Order re: <u>140</u> Telephone Conference,, (Spears, George) (Entered: 05/11/2007)
05/14/2007	<u>142</u>	ORDER granting in part and denying in part Plaintiffs' <u>130</u> Motion for Protective Order; granting in part and denying in part Plaintiffs' <u>136</u> Emergency Motion to Amend Scheduling Order. See Order for details. Discovery will close on 7/30/07. Defendants' requests for sanctions are DENIED. Signed by Judge Clarence Cooper on 5/14/07. (mas) (Entered: 05/14/2007)
05/21/2007	<u>143</u>	NOTICE Of Filing Correction to Doc. 66-2 by Escolastico De Leon-Granados re <u>66</u> Notice of Filing, <i>Corrected English Language Translation</i> (Attachments: # <u>1</u> Exhibit Pl Ex 87)(Spears, George) (Entered: 05/21/2007)
06/20/2007	<u>144</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendants Interrogatories and Request for Production of Documents to Plaintiff Marvin Ballardo Castillo Diaz</i> (Stine, James) (Entered: 06/20/2007)
06/27/2007	<u>145</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendant's Interrogatoreis and Request for Production of Document to Plaintiff Abner Misael Rivera-Montufar</i> (Stine, James) (Entered: 06/27/2007)
06/27/2007	<u>146</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Alberto Diaz-Diaz</i> (Stine, James) (Entered: 06/27/2007)
06/27/2007	<u>147</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendant's Interrogatories and Request for Production of Documents to Plaintiff Alberto Diaz-Diaz</i> (Stine, James) (Entered: 06/27/2007)
07/09/2007	<u>148</u>	CERTIFICATE OF SERVICE <i>Defendants' Responses to Plaintiffs' Second Request for Production of Documents</i> by Eller and Sons Trees, Inc., Jerry Eller.(Stine, James) (Entered: 07/09/2007)
07/09/2007	<u>149</u>	Joint MOTION for Extension of Time to Complete Discovery <i>Related to Experts</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 07/09/2007)
07/11/2007	<u>150</u>	ORDER granting <u>149</u> Joint Motion for Extension of Time to Complete Discovery. Discovery ends on 9/28/2007. All motions for summary judgment will be due 10/30/07. Signed by Judge Clarence Cooper on 7/11/07. (mas) (Entered: 07/11/2007)
07/25/2007	<u>151</u>	NOTICE of Appearance by James Larry Stine on behalf of Eller and Sons Trees, Inc., Jerry Eller (Stine, James) (Entered: 07/25/2007)
09/11/2007	<u>152</u>	NOTICE by Escolastico De Leon-Granados <i>of Receipt of Rule 23 Opt-Out Form</i> (Attachments: # <u>1</u> Opt-Out Form of Oswaldo Morales)(Spears, George) (Entered: 09/11/2007)
10/01/2007	<u>153</u>	Certified copy of JUDGMENT of USCA AFFIRMING the decision of the District Court re: <u>109</u> Notice of Appeal filed by Jerry Eller Case Appealed to USCA Case Number 06-15876. (fem) (Entered: 10/03/2007)

10/02/2007	<u>154</u>	Appeal Record Returned: <u>109</u> Notice of Appeal Case Appealed to USCA Case Number 06-15876-CC. (fem) (Entered: 10/03/2007)
10/05/2007	<u>158</u>	NOTICES of Withdrawal from lawsuit received via FedEx International. (vs) (Entered: 10/10/2007)
10/09/2007	<u>155</u>	NOTICE withdrawal from lawsuit received from N. Colman. (vs) (Entered: 10/10/2007)
10/09/2007	<u>156</u>	NOTICE withdrawal from lawsuit received from A. Cho (vs) (Entered: 10/10/2007)
10/09/2007	<u>157</u>	NOTICE Withdrawal from lawsuit received from O. Lopez (vs) (Entered: 10/10/2007)
10/09/2007	<u>159</u>	NOTICE of delivery of forms to withdraw from lawsuit (Attachments: # <u>1</u> Attachment A part 1# <u>2</u> Attachment A part 2# <u>3</u> Attachment A part 3# <u>4</u> Attachment A part 4)(vs) (Entered: 10/10/2007)
10/11/2007	<u>160</u>	CERTIFICATE OF SERVICE re <u>159</u> Notice of delivery of forms by Eller and Sons Trees, Inc., Jerry Eller..(vs) (Entered: 10/12/2007)
10/12/2007	<u>161</u>	NOTICE OF REQUIREMENT TO FILE ELECTRONICALLY pursuant to Standing Order 04-01 as to James Larry Stine re <u>160</u> Certificate of Service. (vs) (Entered: 10/12/2007)
10/12/2007	<u>162</u>	Emergency MOTION to Amend <i>Briefing Schedule for Summary Judgment</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 10/12/2007)
10/15/2007	<u>163</u>	Emergency MOTION to Amend <i>Scheduling Order to Permit Investigation of Impropriety in Acquisition of Forms to Withdraw From Lawsuit And Incorporated Memorandum of Law</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 10/15/2007)
10/16/2007	<u>164</u>	Notice for Leave of Absence for the following date(s): 12/24/07-1/11/08, 3/7/08-3/17/08, by George Brian Spears. (Spears, George) (Entered: 10/16/2007)
10/16/2007	<u>165</u>	ORDER re <u>162</u> Motion to Amend Briefing for Summary Judgment. Motions for sum jgm to be filed by November 5, 2007. Signed by Judge Clarence Cooper on 10/16/07. (vs) (Entered: 10/17/2007)
10/16/2007	<u>166</u>	ORDER granting <u>163</u> Motion to Amend Scheduling Order. Discovery will re-open until December 31,2007, for the limited purpose of investigating impropriety in the acquisition of opt-out forms filed between the dates of October 5, 2007 and the present. Signed by Judge Clarence Cooper on 10/16/07. (see Order for details) (vs) (Entered: 10/17/2007)
10/22/2007	<u>167</u>	NOTICE re withdrawal from lawsuit. (vs) (Entered: 10/23/2007)
11/08/2007	<u>168</u>	NOTICE Of Filing Manual Filing of Original Deposition Transcripts by Eller and Sons Trees, Inc., Jerry Eller (Stine, James) (Entered: 11/08/2007)
11/08/2007	<u>169</u>	NOTICE of Withdrawal from action by Amaida Alfaro de Martinez and Joel Martinez Matias (vs) (Entered: 11/14/2007)
11/13/2007	<u>174</u>	DEPOSITION of Margarito Recinos-Villartoro taken on 9/12/05 by Eller and Sons Trees, Inc., Jerry Eller.(vs) (Entered: 11/15/2007)
11/13/2007	<u>175</u>	DEPOSITION of Escolastico De Leon-Granados taken on 9/12/05 at 2:20 p.m. by Eller and Sons Trees, Inc., Jerry Eller.(vs) (Entered: 11/15/2007)
11/13/2007	<u>176</u>	DEPOSITION of Isaias Profeta De Leon-Granados taken on 9/13/05 at 9:45 a.m. by Eller and Sons Trees, Inc., Jerry Eller.(vs) (Entered: 11/15/2007)
11/13/2007	<u>177</u>	DEPOSITION of Armenio Pablo-Calmo taken on 9/13/05 at 1:45 p.m. by Eller and Sons Trees, Inc., Jerry Eller.(vs) (Entered: 11/15/2007)
11/14/2007	<u>170</u>	MOTION for Leave to File Excess Pages by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Text of Proposed Order)(Stine, James) (Entered: 11/14/2007)

11/14/2007	<u>171</u>	MOTION for Leave to File Excess Pages in <i>Plaintiffs' Memorandum of Law in Support of Partial Summary Judgment Finding Employer Status of Defendant Jerry Eller</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 11/14/2007)
11/14/2007	<u>172</u>	MOTION for Leave to File Excess Pages in <i>Plaintiffs' Memorandum of Law in Support of Partial Summary Judgment Related to Reimbursement of Expenses</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 11/14/2007)
11/15/2007	<u>173</u>	First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief Memorandum of Law in Support of Plaintiffs' Motion for Partial Summary Judgment Finding Employer Status of Defendant Jerry Eller)(Spears, George) --Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 11/15/2007)
11/15/2007	<u>178</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiffs Exhibits 88-92</i> (Attachments: # <u>1</u> Exhibit Pl Ex 88, # <u>2</u> Exhibit pl ex 89, # <u>3</u> Exhibit pl ex 90, # <u>4</u> Exhibit pl ex 91, # <u>5</u> Exhibit pl ex 92)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>179</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiffs Exhibits 93-97</i> (Attachments: # <u>1</u> Exhibit Pl Ex 93, # <u>2</u> Exhibit Pl Ex 94, # <u>3</u> Exhibit Pl Ex 95, # <u>4</u> Exhibit Pl Ex 96, # <u>5</u> Exhibit Pl Ex 97)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>180</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiffs Exhibits 98-102</i> (Attachments: # <u>1</u> Exhibit Pl Ex 98, # <u>2</u> Exhibit Pl Ex 99, # <u>3</u> Exhibit Pl Ex 100, # <u>4</u> Exhibit Pl Ex 101, # <u>5</u> Exhibit Pl Ex 102)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>181</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiffs Exhibits 103-107</i> (Attachments: # <u>1</u> Exhibit Pl Ex 103, # <u>2</u> Exhibit Pl Ex 104, # <u>3</u> Exhibit Pl Ex 105, # <u>4</u> Exhibit Pl Ex 106, # <u>5</u> Exhibit Pl Ex 107)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>182</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibits 108-112</i> (Attachments: # <u>1</u> Exhibit Pl Ex 108, # <u>2</u> Exhibit Pl Ex 109, # <u>3</u> Exhibit Pl Ex 110, # <u>4</u> Exhibit Pl Ex 111, # <u>5</u> Exhibit Pl Ex 112)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>183</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibits 113-117</i> (Attachments: # <u>1</u> Exhibit Pl Ex 113, # <u>2</u> Exhibit Pl Ex 114, # <u>3</u> Exhibit Pl Ex 115, # <u>4</u> Exhibit Pl Ex 116, # <u>5</u> Exhibit Pl Ex 117)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>184</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibits 118-122</i> (Attachments: # <u>1</u> Exhibit Pl Ex 118, # <u>2</u> Exhibit Pl Ex 119, # <u>3</u> Exhibit Pl Ex 120, # <u>4</u> Exhibit Pl Ex 121, # <u>5</u> Exhibit Pl Ex 122)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>185</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibits 123-127</i> (Attachments: # <u>1</u> Exhibit Pl Ex 123, # <u>2</u> Exhibit Pl Ex 124, # <u>3</u> Exhibit Pl Ex 125, # <u>4</u> Exhibit Pl Ex 126, # <u>5</u> Exhibit Pl Ex 127)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>186</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller</i>

		<i>Plaintiff's Exhibits 128–132</i> (Attachments: # <u>1</u> Exhibit Pl Ex 128, # <u>2</u> Exhibit Pl Ex 129, # <u>3</u> Exhibit Pl Ex 130, # <u>4</u> Exhibit Pl Ex 131, # <u>5</u> Exhibit Pl Ex 132)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>187</u>	NOTICE Of Filing by Escolastico De Leon–Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibits 133–137</i> (Attachments: # <u>1</u> Exhibit Pl Ex 133, # <u>2</u> Exhibit Pl Ex 134, # <u>3</u> Exhibit Pl Ex 135, # <u>4</u> Exhibit Pl Ex 136, # <u>5</u> Exhibit Pl Ex 137)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>188</u>	NOTICE Of Filing by Escolastico De Leon–Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibits 138–141</i> (Attachments: # <u>1</u> Exhibit Pl Ex 138, # <u>2</u> Exhibit Pl Ex 139, # <u>3</u> Exhibit Pl Ex 140, # <u>4</u> Exhibit Pl Ex 141)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>189</u>	NOTICE Of Filing by Escolastico De Leon–Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 142a1</i> (Attachments: # <u>1</u> Exhibit Pl Ex 142a1)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>190</u>	MOTION for Partial Summary Judgment by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) --Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 11/15/2007)
11/15/2007	<u>191</u>	NOTICE Of Filing by Escolastico De Leon–Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibits 142a2</i> (Attachments: # <u>1</u> Exhibit Pl Ex 142a2)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>192</u>	NOTICE Of Filing by Escolastico De Leon–Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 142b1</i> (Attachments: # <u>1</u> Exhibit Pl Ex 142b1)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>193</u>	NOTICE Of Filing by Escolastico De Leon–Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 142b2</i> (Attachments: # <u>1</u> Exhibit Pl Ex 142b2)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>194</u>	NOTICE Of Filing by Escolastico De Leon–Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibits 143–147</i> (Attachments: # <u>1</u> Errata Pl Ex 143, # <u>2</u> Exhibit Pl Ex 144, # <u>3</u> Exhibit Pl Ex 145, # <u>4</u> Exhibit Pl Ex 146, # <u>5</u> Exhibit Pl Ex 147)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>195</u>	MOTION for Partial Summary Judgment with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Brief Memorandum of Law in Support, # <u>2</u> Statement of Material Facts, # <u>3</u> Exhibit Exhibit List, # <u>4</u> Exhibit A– Eller and Sons Depo., # <u>5</u> Exhibit B– Depo. Ismael Recinos, # <u>6</u> Exhibit C– Depo. Ogler Roeli Castillo Recinos, # <u>7</u> Exhibit D_ Depo. Escolastico De Leon–Granados, # <u>8</u> Exhibit E_ Isaias Profeta De Leon Granados, # <u>9</u> Exhibit F_ Depo of Margarito Recinos Villatoro, # <u>10</u> Exhibit H_ Aff. of Armenio Pablo–Calmo, # <u>11</u> Exhibit I_ Depo of Edy Otoniel Figueroa Garcia, # <u>12</u> Exhibit J_ Depo of Oziel Villatoro Matias, # <u>13</u> Exhibit K–Argelio Enai Castillo Villatoro, # <u>14</u> Exhibit L_ Depo of Samuel Eduardo Tecun–Lucas, # <u>15</u> Exhibit M_ Depo of Ruben Perez–Lucas, # <u>16</u> Exhibit N_ Aff. of Ron Oxentenko, # <u>17</u> Exhibit 1_ Sample ETA–750 Forms, # <u>18</u> Exhibit 1_ Sampte ETA–750 Forms, # <u>19</u> Exhibit 1_ ETA–750 Form, # <u>20</u> Exhibit 1_ Sample ETA–750 Form, # <u>21</u> Exhibit 2_ Disclosure Statements from 1999 to 2006, # <u>22</u> Exhibit Ex_2 2000 Disclosure, # <u>23</u> Exhibit Ex.2_ 2001 Disclosure, # <u>24</u> Exhibit Ex.2_ 2002 Disclosure, # <u>25</u> Exhibit Ex. 2_ disclosure 2003, # <u>26</u> Exhibit Ex.2_ Disclosure 2004, # <u>27</u> Exhibit Ex. 2_ Disclosure 2005, # <u>28</u> Exhibit Ex.2_ Disclosure 2006, # <u>29</u> Exhibit Ex. 3_ Pay stubs, # <u>30</u> Exhibit Ex. 3_ Pay stubs, # <u>31</u> Exhibit Ex. 3_ Paystubs, # <u>32</u> Exhibit Ex.3_ Paystubs, # <u>33</u> Exhibit Ex. 3_ Paystubs, # <u>34</u> Exhibit Ex.3_ Pay stubs, # <u>35</u> Exhibit Ex.3_ Pay Stub, # <u>36</u> Exhibit Ex.4_ Wage and Hour Opinion, # <u>37</u> Exhibit Ex. 5_ ETA Guidance Letter, #

		<u>38</u> Exhibit Ex.6_ FOIA Letter, # <u>39</u> Exhibit Ex. 7_US DOL Letter, # <u>40</u> Exhibit Ex. 8_Wage and Hour Division Invest. Report, # <u>41</u> Exhibit Ex. 9_Congressional Recruitment Guidelines, # <u>42</u> Exhibit Ex. G_Depo. Armenio Pablo-Calmo)(Stine, James) --Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 11/15/2007)
11/15/2007	<u>196</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 148a-1</i> (Attachments: # <u>1</u> Exhibit Pl Ex 148a-1)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>197</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 148a-2</i> (Attachments: # <u>1</u> Exhibit pl Ex 148a-2)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>198</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 148a-3</i> (Attachments: # <u>1</u> Exhibit Pl Ex 148a-3)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>199</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 148b-1</i> (Attachments: # <u>1</u> Exhibit Pl Ex 148b-1)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>200</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 148b-2</i> (Attachments: # <u>1</u> Exhibit Pl Ex 148b-2)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>201</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 148b-3</i> (Attachments: # <u>1</u> Exhibit Pl Ex 148b-3)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>202</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 148b-4</i> (Attachments: # <u>1</u> Exhibit Pl Ex 148b-4)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>203</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 149a-1</i> (Attachments: # <u>1</u> Exhibit Pl Ex 149a-1)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>204</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 149a-2</i> (Attachments: # <u>1</u> Exhibit Pl Ex 149a-2)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>205</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 149b-1</i> (Attachments: # <u>1</u> Exhibit Pl Ex 149b-1)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>206</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller Plaintiff's Exhibit 149b-2</i> (Attachments: # <u>1</u> Exhibit Pl Ex 149b-2)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>207</u>	Second MOTION for Partial Summary Judgment <i>Related to Reimbursement of Expenses</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief)(Spears, George) --Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 11/15/2007)

11/15/2007	<u>208</u>	Third MOTION for Partial Summary Judgment <i>Finding Violations of AWPAs Recordkeeping Requirements</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief)(Spears, George) --Please refer to http://www.gand.uscourts.gov to obtain the Notice to Respond to Summary Judgment Motion form contained on the Court's website.-- (Entered: 11/15/2007)
11/15/2007	<u>209</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller</i> , <u>207</u> Second MOTION for Partial Summary Judgment <i>Related to Reimbursement of Expenses</i> , <u>208</u> Third MOTION for Partial Summary Judgment <i>Finding Violations of AWPAs Recordkeeping Requirements Plaintiffs' Statement of Undisputed Material Facts</i> (Attachments: # <u>1</u> Statement of Material Facts Plaintiffs' Statement of Undisputed Material Facts, # <u>2</u> Statement of Material Facts Plaintiffs Statement of Undisputed Material Facts Part 2)(Spears, George) (Entered: 11/15/2007)
11/15/2007	<u>210</u>	DEPOSITION of Randall Allen taken on 3/26/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>211</u>	DEPOSITION of Raul Bonifilo Castillo Mendoza taken on 3/13/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>212</u>	DEPOSITION of Protasio Burgos Maldonado taken on 7/12/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>213</u>	DEPOSITION of Ron Oxentenکو taken on 5/16/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>214</u>	DEPOSITION of Jerry Eller taken on 5/15/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>215</u>	DEPOSITION of Eller & Sons Trees, Inc., through Jerry Eller taken on 7/9/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>216</u>	DEPOSITION of Crystal Blacquiere taken on 6/26/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>217</u>	DEPOSITION VOL. I of Nelson Ignacio Hernandez-Lopez taken on 5/23/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>218</u>	DEPOSITION Vo. II of Nelson Ignacio Hernadnez-Lopez taken on 5/24/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>219</u>	DEPOSITION Vol. I of Ruben Perez-Lucas taken on 5/22/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>220</u>	DEPOSITION Vol. II of Ruben Perez-Lucas taken on 5/23/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>221</u>	DEPOSITION of Steven Wayne Swett taken on 3/28/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>222</u>	DEPOSITION of Ermis Alexi Lagos Arias taken on 3/13/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>223</u>	DEPOSITION of Felix Morales Antonio taken on 7/13/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>224</u>	DEPOSITION Transcript of two meetings between of Department of Labor Officials and Forestry contractors t/w Exh. 131 (Floppy Disc) by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>225</u>	DEPOSITION of Eller & Sons Trees, Inc., through Ismael Olegario Recinos taken on 1/4/06 & 1/5/06 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>226</u>	DEPOSITION Vol. I of Eller & Sons Trees, Inc., through Ron Oxentenکو taken on 7/9/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>227</u>	DEPOSITION VOL. II of Eller & Sons Trees, Inc., through Ron Oxentenکو taken 7/10/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)

11/15/2007	<u>228</u>	DEPOSITION of Enrique Gomez Zapata taken on 4/12/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>229</u>	DEPOSITION of Anthony D. Bull taken on 5/17/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>230</u>	DEPOSITION of Clementino Ramirez-Montufar taken on 5/23/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>231</u>	DEPOSITION of Agustin Soto Rios taken on 7/12/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>232</u>	DEPOSITION of Manuel Medrano taken on 3/12/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/19/2007)
11/15/2007	<u>236</u>	DEPOSITION of Felipe Antonio Castillo Matias taken on 3/27/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>237</u>	DEPOSITION of Samuel Eduardo Tecun-Lucas taken on 5/22/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>238</u>	DEPOSITION of Marco Antonio Cortillo Cobon taken on 3/9/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>239</u>	DEPOSITION of Henry Bagner Villatoro Villatoro taken on 1/12/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>240</u>	DEPOSITION of Melinda Brown taken on 7/17/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>241</u>	DEPOSITION of Charlotte Rice Irwin taken on 5/3/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>242</u>	DEPOSITION of Esau Matias Herrera taken on 3/29/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>243</u>	DEPOSITION of Ismael Olegario Recinos taken on 1/4/06 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>244</u>	DEPOSITION of Ismael Olegario Recinos taken on 6/27/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>245</u>	DEPOSITION of Argelio Enai Castillo Villatoro taken on 1/10/06 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>246</u>	DEPOSITION of Edgar Castillo taken on 3/12/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>247</u>	DEPOSITION of William Frederick Gaebel taken on 7/26/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>248</u>	DEPOSITION of William Jefferson Morris, III taken on 7/27/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>249</u>	DEPOSITION of Joel Leonides Martinez Matias taken on 3/27/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>250</u>	DEPOSITION of Edy Otoniel Figueroa Garcia taken on 1/10/06 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>251</u>	DEPOSITION of Gelber Vincente Yoxom Matias taken on 3/28/07 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007	<u>252</u>	DEPOSITION of Oziel Villatoro Matias taken on 1/12/06 by Escolastico De Leon-Granados.(vs) (Entered: 11/20/2007)
11/15/2007		Received Three Binders Labeled Plaintiffs' Exhibits Motion for Summary Judgment re <u>207</u> Second MOTION for Partial Summary Judgment <i>Related to Reimbursement of Expenses</i> , <u>208</u> Third MOTION for Partial Summary Judgment <i>Finding Violations of AWPAs Recordkeeping Requirements</i> . (Placed with file) (vs) (Entered: 11/20/2007)

11/16/2007	<u>233</u>	ORDER granting <u>170</u> Motion for Leave to File Excess Pages. Signed by Judge Clarence Cooper on 11/16/07. (vs) (Entered: 11/19/2007)
11/16/2007	<u>234</u>	ORDER granting <u>171</u> Motion for Leave to File Excess Pages. Signed by Judge Clarence Cooper on 11/16/07. (vs) (Entered: 11/19/2007)
11/16/2007	<u>235</u>	ORDER granting <u>172</u> Motion for Leave to File Excess Pages in Plaintiffs' Memorandum of Law in Support of Partial Summary Judgment Related to Reimbursement of Expenses. Signed by Judge Clarence Cooper on 11/16/07. (vs) (Entered: 11/19/2007)
11/26/2007	<u>269</u>	NOTICE Received copy of previously e-filed affidavit by Escolastico De Leon-Granados (Attachments: # <u>1</u> Affidavit of Dwight D. Steward, PHD)(vs) (Entered: 11/30/2007)
11/27/2007	<u>253</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Excerpt Randall Allen Deposition, # <u>2</u> Crystal Blacquiere Deposition Excerpts, # <u>3</u> Melinda Brown Deposition Excerpts, # <u>4</u> Anthony D. Bull Deposition Excerpt)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>254</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Protasio Burgos Maldonado Deposition Excerpts, # <u>2</u> Edgar Castillo Deposition Excerpts, # <u>3</u> Marco Antonio Cortillo Cobon Deposition Excerpts, # <u>4</u> Felipe Antonio Castillo Matias Deposition Excerpts)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>255</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Raul Bonifilio Castillo Mendoza Deposition Excerpts, # <u>2</u> Ogler Roeli Castillo Recinos Deposition Excerpts, # <u>3</u> Argelio Enai Castillo Villatoro Deposition Excerpts, # <u>4</u> Escolastico De Leon-Granados Deposition Excerpts, # <u>5</u> Isaias Profeta De Leon-Granados Deposition Excerpts, # <u>6</u> Edy Otoniel Figueroa Garcia Deposition Excerpts)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>256</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> First Eller & Sons Deposition Excerpts, # <u>2</u> Second Volume 1 Eller & Sons Dep. 2 Excerpts, # <u>3</u> Second Volume 2 Eller & Sons Dep. 3 Excerpts, # <u>4</u> Second Volume 3 Eller & Sons Dep. 4 Excerpts)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>257</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Jerry Eller Deposition Excerpts)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>258</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Jerry Eller Part 2 Deposition Excerpts)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>259</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> William Frederick Gaebel Deposition Excerpts, # <u>2</u> Enrique Gomez Zapata Deposition Excerpts, # <u>3</u> Nelson Ignacio Hernandez-Lopez Deposition Excerpts, # <u>4</u> Ermis Alexi Lagos Arias)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>260</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Joel Leonides Martinez Matias Deposition Excerpts, # <u>2</u> Esau Matias Herrera Deposition Excerpts)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>261</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Manuel Medrano Deposition Excerpts)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>262</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Felix Morales Antonio Deposition Excerpts, # <u>2</u> Ron Oxentenکو Deposition Excerpts, # <u>3</u> Armenio Pablo-Calmo Deposition Excerpts, # <u>4</u> Ruben Perez-Lucas Deposition Excerpts, # <u>5</u> Clementino Ramirez-Montufar Deposition Excerpts, # <u>6</u> Charlotte Rice Irwin)(Spears, George)

		(Entered: 11/27/2007)
11/27/2007	<u>263</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Ismael Olegario Recinos Deposition Excerpts, # <u>2</u> Ismael Olegario Recinos Dep. 2 Excerpts)(Spears, George) (Entered: 11/27/2007)
11/27/2007	<u>264</u>	NOTICE Of Filing by Escolastico De Leon-Granados re <u>209</u> Notice of Filing,, <i>Deposition Excerpts</i> (Attachments: # <u>1</u> Agustin Soto Rios Deposition Excerpts, # <u>2</u> Steven Wayne Swett Deposition Excerpts, # <u>3</u> Samuel Eduardo Tecun-Lucas Deposition Excerpts, # <u>4</u> Oziel Villatoro Matias Deposition Excerpts, # <u>5</u> Gelber Vicente Yoxom Matias Deposition Excerpts)(Spears, George) (Entered: 11/27/2007)
11/28/2007	<u>265</u>	NOTICE of withdrawal by Salvador Alfaro (vs) (Entered: 11/29/2007)
11/28/2007	<u>266</u>	NOTICE or withdrawal by Benjamin Gomez(vs) (Entered: 11/29/2007)
11/29/2007	<u>267</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendants' Response To Plaintiffs' Second Interrogatories</i> (Oliver, Paul) (Entered: 11/29/2007)
11/29/2007	<u>268</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendants' Response To Plaintiffs' Third Request For Production of Documents</i> (Oliver, Paul) (Entered: 11/29/2007)
12/05/2007	<u>270</u>	Joint Emergency MOTION for Extension of Time File Responses to Partial Summary Judgment Motions and Amendment of Scheduling Order Related to Investigation of Impropriety in Acquisition of Forms to Withdraw from Lawsuit with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) Modified on 12/6/2007 to delete duplicative text (ryc). (Entered: 12/05/2007)
12/06/2007	<u>271</u>	ORDER GRANTING the <u>270</u> Joint Emergency Motion for Extension of Time to file responses to Partial Summary Judgment Motions and Amendment of Scheduling Order related to investigation of impropriety in acquisition of forms to withdraw from lawsuit. The parties shall file their responses to the cross-motions for partial summary judgment on or before January 11, 2008. Discovery shall be completed by January 31, 2008. Any motions resulting from the investigation of opt-out forms filed between October 5, 2007 and the present shall be filed no later than February 15, 2008. Signed by Judge Clarence Cooper on 12/6/07. (dfb) (Entered: 12/07/2007)
12/27/2007	<u>272</u>	NOTICE of intent to w/d from action by Marvin Armando Gonzalez (vs) (Entered: 12/28/2007)
12/31/2007	<u>273</u>	MOTION for Leave to File Excess Pages by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 12/31/2007)
12/31/2007	<u>274</u>	Second MOTION to Compel Responses to Interrogatories with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief, # <u>2</u> Pl. Ex. 163, # <u>3</u> Pl. Ex. 164, # <u>4</u> Pl. Ex. 165, # <u>5</u> Pl. Ex. 166, # <u>6</u> Pl. Ex. 167, # <u>7</u> Pl. Ex. 168, # <u>8</u> Pl. Ex. 169)(Spears, George) (Entered: 12/31/2007)
01/04/2008	<u>286</u>	NOTICE of withdrawal from lawsuit by Cezar Adolfo Sontay Itzep (vs) (Entered: 01/23/2008)
01/11/2008	<u>275</u>	MOTION for Leave to File Excess Pages by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Memorandum In Support, # <u>2</u> Text of Proposed Order)(Stine, James) (Entered: 01/11/2008)
01/11/2008	<u>276</u>	RESPONSE re <u>208</u> Third MOTION for Partial Summary Judgment <i>Finding Violations of AWPAs Recordkeeping Requirements</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 01/11/2008)
01/11/2008	<u>277</u>	RESPONSE re <u>207</u> Second MOTION for Partial Summary Judgment <i>Related to Reimbursement of Expenses</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 01/11/2008)

01/11/2008	<u>278</u>	RESPONSE re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 01/11/2008)
01/11/2008	<u>279</u>	Response to Statement of Material Facts re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller</i> , <u>207</u> Second MOTION for Partial Summary Judgment <i>Related to Reimbursement of Expenses</i> , <u>208</u> Third MOTION for Partial Summary Judgment <i>Finding Violations of AWPAs Recordkeeping Requirements Defendants' Response to Plaintiffs' Statement of Undisputed Material Facts</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Affidavit Jerry Eller)(Stine, James) (Entered: 01/11/2008)
01/11/2008	<u>280</u>	Statement of Material Facts re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller</i> , <u>207</u> Second MOTION for Partial Summary Judgment <i>Related to Reimbursement of Expenses</i> , <u>208</u> Third MOTION for Partial Summary Judgment <i>Finding Violations of AWPAs Recordkeeping Requirements Defendants' Statement of Additional Disputed Material Facts</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 01/11/2008)
01/11/2008	<u>281</u>	MOTION for Leave to File Excess Pages by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 01/11/2008)
01/11/2008	<u>282</u>	RESPONSE in Opposition re <u>195</u> MOTION for Partial Summary Judgment, <u>190</u> MOTION for Partial Summary Judgment filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Pl Ex 150, # <u>2</u> Exhibit Pl Ex 151, # <u>3</u> Exhibit Pl Ex 152, # <u>4</u> Exhibit Pl Ex 153, # <u>5</u> Exhibit Pl Ex 154, # <u>6</u> Exhibit Pl Ex 155, # <u>7</u> Exhibit Pl Ex 156, # <u>8</u> Exhibit Pl Ex 157, # <u>9</u> Exhibit Pl Ex 158, # <u>10</u> Exhibit Pl Ex 159, # <u>11</u> Exhibit Pl Ex 160, # <u>12</u> Exhibit Pl Ex 161, # <u>13</u> Exhibit Pl Ex 162)(Spears, George) (Entered: 01/11/2008)
01/11/2008	<u>283</u>	Response to Statement of Material Facts re <u>195</u> MOTION for Partial Summary Judgment filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 01/11/2008)
01/11/2008	<u>284</u>	Statement of Material Facts re <u>195</u> MOTION for Partial Summary Judgment <i>Plaintiffs' Statement of Additional Material Facts</i> filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 01/11/2008)
01/16/2008	<u>285</u>	NOTICE Of Filing Opt out forms by Eller and Sons Trees, Inc., Jerry Eller (Attachments: # <u>1</u> Exhibit Opt out forms)(Stine, James) (Entered: 01/16/2008)
01/16/2008	<u>287</u>	NOTICE of withdrawal from lawsuit by Marlyn Guerra, Edin Guerra, Alvin Guerra. (vs) (Entered: 01/24/2008)
01/24/2008	<u>288</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendants' Response To Plaintiffs' Fourth Requests For Production Of Documents</i> (Oliver, Paul) (Entered: 01/24/2008)
01/28/2008	<u>289</u>	MOTION for Leave to File Excess Pages <i>related to Plaintiffs' Reply Brief in Support of Plaintiffs' Motion for Partial Summary Judgment Finding Employer Status of Defendant Jerry Eller</i> by Escolastico De Leon-Granados. (Spears, George) (Entered: 01/28/2008)
01/28/2008	<u>290</u>	MOTION for Leave to File Excess Pages <i>Related to Plaintiffs' Reply Brief in Support of Plaintiffs' Motion for Partial Summary Judgment Related to Unreimbursed Expenses</i> by Escolastico De Leon-Granados. (Spears, George) (Entered: 01/28/2008)
01/29/2008	<u>291</u>	REPLY BRIEF re <u>195</u> MOTION for Partial Summary Judgment <i>To Plaintiffs Opposition</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Affidavit Declaration of J. Larry Stine)(Stine, James) (Entered: 01/29/2008)
01/29/2008	<u>292</u>	MOTION for Leave to File Excess Pages <i>Limitation</i> by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Text of Proposed Order Order)(Stine, James) (Entered: 01/29/2008)

01/29/2008	<u>293</u>	RESPONSE re <u>284</u> Statement of Material Facts <i>To Plaintiffs Motion For Partial Summary Judgment</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 01/29/2008)
01/30/2008		Submission of <u>274</u> Second MOTION to Compel Responses to Interrogatories, submitted to District Judge Clarence Cooper. (vs) (Entered: 01/30/2008)
01/30/2008		Submission of <u>273</u> MOTION for Leave to File Excess Pages, submitted to District Judge Clarence Cooper. (vs) (Entered: 01/30/2008)
01/30/2008		Submission of <u>281</u> MOTION for Leave to File Excess Pages, <u>275</u> MOTION for Leave to File Excess Pages, submitted to District Judge Clarence Cooper. (vs) (Entered: 01/30/2008)
01/31/2008	<u>294</u>	REPLY BRIEF re <u>207</u> Second MOTION for Partial Summary Judgment <i>Related to Reimbursement of Expenses</i> filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 01/31/2008)
01/31/2008	<u>295</u>	REPLY BRIEF re <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller</i> filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit 170, # <u>2</u> Exhibit Plaintiffs' Exhibit 171)(Spears, George) (Entered: 01/31/2008)
01/31/2008	<u>296</u>	REPLY BRIEF re <u>208</u> Third MOTION for Partial Summary Judgment <i>Finding Violations of AWPAs Recordkeeping Requirements</i> filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit 174, # <u>2</u> Exhibit Plaintiffs' Exhibit 175)(Spears, George) (Entered: 01/31/2008)
01/31/2008	<u>297</u>	NOTICE of Appearance by Paul Oliver on behalf of Eller and Sons Trees, Inc., Jerry Eller (Oliver, Paul) (Entered: 01/31/2008)
01/31/2008	<u>298</u>	MOTION for Leave to File to allow late filed opposition to motion to compel with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Oliver, Paul) (Entered: 01/31/2008)
01/31/2008	<u>299</u>	RESPONSE in Opposition re <u>274</u> Second MOTION to Compel Responses to Interrogatories filed by Eller and Sons Trees, Inc., Jerry Eller. (Oliver, Paul) (Entered: 01/31/2008)
01/31/2008	<u>300</u>	RESPONSE re <u>280</u> Statement of Material Facts, <i>Plaintiffs' Response to Defendants' Statement of Additional Disputed Material Facts</i> filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Plaintiffs' Exhibit 172, # <u>2</u> Exhibit Plaintiffs' Exhibit 173)(Spears, George) (Entered: 01/31/2008)
02/13/2008	<u>301</u>	NOTICE by Escolastico De Leon-Granados re <u>291</u> Reply Brief, <u>195</u> MOTION for Partial Summary Judgment <i>Notice of Objection to Admission of Hearsay Affidavits</i> (Spears, George) (Entered: 02/13/2008)
02/14/2008	<u>302</u>	MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit Pl Ex 176, # <u>3</u> Exhibit Pl Ex 177, # <u>4</u> Errata Pl Ex 178, # <u>5</u> Exhibit Pl Ex 179, # <u>6</u> Exhibit Pl Ex 180, # <u>7</u> Exhibit Pl Ex 181, # <u>8</u> Exhibit 182, # <u>9</u> Exhibit Pl Ex 183, # <u>10</u> Exhibit Pl Ex 184, # <u>11</u> Exhibit 185, # <u>12</u> Exhibit Pl Ex 186, # <u>13</u> Exhibit Pl Ex 187, # <u>14</u> Exhibit Pl Ex 188)(Spears, George) (Entered: 02/14/2008)
02/25/2008		Submission of <u>290</u> MOTION for Leave to File Excess Pages <i>Related to Plaintiffs' Reply Brief in Support of Plaintiffs' Motion for Partial Summary Judgment Related to Unreimbursed Expenses</i> , <u>289</u> MOTION for Leave to File Excess Pages <i>related to Plaintiffs' Reply Brief in Support of Plaintiffs' Motion for Partial Summary Judgment Finding Employer Status of Defendant Jerry Eller</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 02/25/2008)
02/25/2008		Submission of <u>208</u> Third MOTION for Partial Summary Judgment <i>Finding Violations of AWPAs Recordkeeping Requirements</i> , <u>207</u> Second MOTION for Partial Summary Judgment <i>Related to Reimbursement of Expenses</i> , <u>190</u> MOTION for Partial Summary Judgment, <u>195</u> MOTION for Partial Summary Judgment, <u>173</u> First MOTION for Partial Summary Judgment <i>Finding Employer Status of Defendant Jerry Eller</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 02/25/2008)

		02/25/2008)
02/25/2008		Submission of <u>292</u> MOTION for Leave to File Excess Pages <i>Limitation</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 02/25/2008)
02/28/2008	<u>303</u>	NOTICE Of Filing Supplemental Authority In Support of Plaintiffs' Motion for Partial Summary Judgment related to un-reimbursed expenses by Escolastico De Leon-Granados re (Attachments: # <u>1</u> Exhibit Pl Ex 189)(Spears, George) Modified on 2/29/2008 (vs). (Entered: 02/28/2008)
02/29/2008	<u>304</u>	Unopposed MOTION for Extension of Time <i>To File Responsive Pleadings</i> by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 02/29/2008)
03/03/2008	<u>305</u>	ORDER granting <u>304</u> Motion for Extension of Time through March 7, 2008, to respond to plas' <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> . Signed by Judge Clarence Cooper on 3/3/08. (vs) (Entered: 03/05/2008)
03/06/2008		Submission of <u>298</u> MOTION for Leave to File to allow late filed opposition to motion to compel, submitted to District Judge Clarence Cooper. (vs) (Entered: 03/06/2008)
03/07/2008	<u>306</u>	MOTION for Leave to File Excess Pages with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 03/07/2008)
03/07/2008	<u>307</u>	RESPONSE re <u>302</u> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Exhibit Exhibit List, # <u>2</u> Exhibit A – Woods Deposition, # <u>3</u> Exhibit B – Recinos Depo., # <u>4</u> Exhibit C–Rubio Deposition, # <u>5</u> Exhibit D – Brown Deposition)(Stine, James) (Entered: 03/07/2008)
03/07/2008	<u>308</u>	RESPONSE re <u>301</u> Notice (Other) <i>To Plaintiffs' Objection To Affidavits</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Oliver, Paul) (Entered: 03/07/2008)
03/14/2008	<u>309</u>	Unopposed MOTION for Extension of Time File Reply Brief re: <u>302</u> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 03/14/2008)
03/18/2008	<u>310</u>	ORDER granting (nunc pro tunc) <u>273</u> Motion for Leave to File Excess Pages; granting <u>281</u> Motion for Leave to File Excess Pages; granting <u>289</u> Motion for Leave to File Excess Pages; granting <u>290</u> Motion for Leave to File Excess Pages. Signed by Judge Clarence Cooper on 3/18/08. (vs) (Entered: 03/19/2008)
03/18/2008	<u>311</u>	ORDER granting (nunc pro tunc) <u>306</u> Motion for Leave to File Excess Pages; granting <u>275</u> Motion for Leave to File Excess Pages; granting <u>292</u> Motion for Leave to File Excess Pages. Signed by Judge Clarence Cooper on 3/18/08. (vs) (Entered: 03/19/2008)
03/19/2008	<u>312</u>	ORDER granting <u>309</u> Motion for Extension of Time through March 28, 2008, to file reply brief re Motion to Strike Forms to Withdraw From Lawsuit. Signed by Judge Clarence Cooper on 3/19/08. (vs) (Entered: 03/20/2008)
03/28/2008	<u>313</u>	REPLY BRIEF re <u>302</u> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> filed by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit Pl Ex 190, # <u>2</u> Affidavit Pl Ex 191, # <u>3</u> Exhibit Pl Ex 192)(Spears, George) (Entered: 03/28/2008)

04/03/2008		Submission of <u>302</u> MOTION <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> MOTION to Strike <u>158</u> Notice (Other), <u>159</u> Notice (Other) <i>Motion to Strike Forms to Withdraw From Lawsuit and for Other Relief</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 04/03/2008)
04/28/2008	<u>314</u>	Notice for Leave of Absence for the following date(s): 6/23/08–7/3/08, by George Brian Spears. (Spears, George) (Entered: 04/28/2008)
05/09/2008	<u>315</u>	MOTION for Leave to File Excess Pages with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 05/09/2008)
05/09/2008	<u>316</u>	MOTION for Sanctions <i>Pursuant to 28 U.S.C. Section 1927</i> with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Memorandum in Support, # <u>2</u> Exhibit List, # <u>3</u> Exhibit, # <u>4</u> Exhibit Exhibit B, # <u>5</u> Exhibit Exhibit C)(Stine, James) (Entered: 05/09/2008)
05/09/2008	<u>317</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Motion and Memorandum of Law in Support for Sanctions Pursuant to 28 U.S.C. Section 1927</i> (Stine, James) (Entered: 05/09/2008)
05/26/2008	<u>318</u>	RESPONSE in Opposition re <u>316</u> MOTION for Sanctions <i>Pursuant to 28 U.S.C. Section 1927</i> filed by Escolastico De Leon–Granados. (Spears, George) (Entered: 05/26/2008)
05/27/2008		Submission of <u>316</u> MOTION for Sanctions <i>Pursuant to 28 U.S.C. Section 1927</i> , <u>315</u> MOTION for Leave to File Excess Pages, submitted to District Judge Clarence Cooper. (vs) (Entered: 05/27/2008)
05/30/2008	<u>319</u>	MOTION for Leave to File Excess Pages <i>for Defendants' Motion to Strike Plaintiffs' Expert Report</i> with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Text of Proposed Order)(Stine, James) (Entered: 05/30/2008)
05/30/2008	<u>320</u>	MOTION to Strike Plaintiff's Expert Witness Jorge Rivero with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Memorandum in Support of Motion to Strike, # <u>2</u> Exhibit List, # <u>3</u> Exhibit A, # <u>4</u> Exhibit B, # <u>5</u> Exhibit C, # <u>6</u> Exhibit D, # <u>7</u> Exhibit E, # <u>8</u> Exhibit F, # <u>9</u> Exhibit G, # <u>10</u> Exhibit H, # <u>11</u> Exhibit I, # <u>12</u> Exhibit J, # <u>13</u> Exhibit K, # <u>14</u> Exhibit L, # <u>15</u> Exhibit M, # <u>16</u> Exhibit N, # <u>17</u> Exhibit O)(Stine, James) Modified on 7/14/2008 to update and clarify docket text (alc). (Entered: 05/30/2008)
06/10/2008	<u>321</u>	Unopposed MOTION for Extension of Time File Opposition re: <u>320</u> MOTION to Strike Plaintiff's Expert Witness Jorge Rivero by Escolastico De Leon–Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) Modified on 7/14/2008 to update and clarify docket text (alc). (Entered: 06/10/2008)
06/18/2008	<u>322</u>	ORDER granting <u>321</u> Motion for Extension of Time until June 23, 2008, to File Opposition re: <u>320</u> MOTION to Strike. Signed by Judge Clarence Cooper on 6/18/08. (vs) (Entered: 06/18/2008)
06/23/2008	<u>323</u>	RESPONSE in Opposition re <u>320</u> MOTION to Strike Plaintiff's Expert Witness Jorge Rivero, filed by Escolastico De Leon–Granados. (Attachments: # <u>1</u> Exhibit Pl. Ex. 193, # <u>2</u> Exhibit Pl. Ex. 194, # <u>3</u> Exhibit Pl. Ex. 195)(Spears, George) Modified on 7/14/2008 to update and clarify docket text (alc). (Entered: 06/23/2008)
06/23/2008	<u>324</u>	MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320–15), with Brief In Support by Escolastico De Leon–Granados. (Attachments: # <u>1</u> Brief Memorandum of Law, # <u>2</u> Exhibit Pl. Ex. 193)(Spears, George) Modified on 7/14/2008 to update and clarify docket text (alc). (Entered: 06/23/2008)
07/01/2008		Submission of <u>320</u> MOTION to Strike, <u>319</u> MOTION for Leave to File Excess Pages <i>for Defendants' Motion to Strike Plaintiffs' Expert Report</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 07/01/2008)

07/10/2008	<u>325</u>	NOTICE of Change of Address for James M. Knoepp, counsel for opt-in Plaintiffs (Knoepp, James) Modified on 7/11/2008 to edit text to more accurately reflect document filed(vs). (Entered: 07/10/2008)
07/11/2008	<u>326</u>	RESPONSE in Opposition re <u>324</u> MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320-15), filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) Modified on 7/14/2008 to update and clarify docket text (alc). (Entered: 07/11/2008)
07/11/2008	<u>327</u>	REPLY to Response to Motion re <u>320</u> MOTION to Strike Plaintiff's Expert Witness Jorge Rivero, filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) Modified on 7/14/2008 to update and clarify docket text (alc). (Entered: 07/11/2008)
07/11/2008	<u>328</u>	MOTION for Leave to File Excess Pages in <i>Reply Brief</i> with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> Text of Proposed Order Order)(Stine, James) (Entered: 07/11/2008)
07/14/2008		Submission of <u>324</u> MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320-15), submitted to District Judge Clarence Cooper. (alc) (Entered: 07/14/2008)
07/14/2008	<u>329</u>	NOTICE of Appearance by James Larry Stine on behalf of Eller and Sons Trees, Inc., Jerry Eller (Stine, James) (Entered: 07/14/2008)
07/28/2008	<u>330</u>	RESPONSE in Support re <u>324</u> MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320-15) MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320-15) filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 07/28/2008)
08/05/2008		Submission of <u>328</u> MOTION for Leave to File Excess Pages <i>Limitation</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 08/05/2008)
08/21/2008	<u>331</u>	ORDER granting <u>315</u> Motion for Leave to File Excess Pages, the local rules are hereby waived with respect to Defendants' Motion for Sanctions Pursuant to 28 U.S.C. § 1927 totaling approximately twenty-nine (29) pages in length. Signed by Judge Clarence Cooper on 8/21/08. (smg) (Entered: 08/21/2008)
08/21/2008	<u>332</u>	ORDER granting <u>328</u> Motion for Leave to File Excess Pages, the local rules are hereby waived with respect to Defendants' Reply to Plaintiffs' Opposition to Defendants' Motion to Strike Plaintiffs' Expert Witness Jorge Rivero totaling approximately sixteen (16) pages in length. Signed by Judge Clarence Cooper on 8/21/08. (smg) (Entered: 08/21/2008)
09/23/2008	<u>333</u>	Notice for Leave of Absence for the following date(s): 10/15/08-10/17/08; 10/24/08-10/27/08; 11/3/08-11/4/08; 12/11/08-12/12/08; 12/30/08-1/6/09, by George Brian Spears. (Spears, George) (Entered: 09/23/2008)
09/30/2008	<u>334</u>	ORDER granting <u>274</u> Motion to Compel ; denying <u>298</u> Motion for Leave to File; denying w/o prejudice <u>302</u> Motion to Strike. Signed by Judge Clarence Cooper on 9/30/08. (vs) (Entered: 10/01/2008)
10/07/2008	<u>335</u>	ORDER granting <u>173</u> Motion for Partial Summary Judgment; granting in part and denying as moot in part <u>190</u> Motion for Partial Summary Judgment; granting in part and denying as moot in part <u>195</u> Motion for Partial Summary Judgment; granting <u>207</u> Motion for Partial Summary Judgment; denying <u>208</u> Motion for Partial Summary Judgment; denying <u>316</u> Motion for Sanctions. In connection with Plaintiffs Motion for Partial Summary Judgment Related to Unreimbursed Expenses, Plaintiffs and opt-in Plaintiffs are entitled to partial summary judgment in the amount of \$53,890.86 and are hereby AWARDED the same. Signed by Judge Clarence Cooper on 10/7/08. (vs) Modified on 11/4/2009 (vs). <u>11/4/2009</u> <u>377</u> ORDER AMENDING JUDGMENT ENTERED: Plaintiffs and opt-in Plaintiffs are entitled to partial summary judgment in the amount of \$57,001.28, rather than \$53,890.86, and are hereby AWARDED the same Modified on 11/4/2009 (vs). (Entered: 10/08/2008)
10/15/2008	<u>336</u>	CERTIFICATE OF SERVICE filed by Eller and Sons Trees, Inc., Jerry Eller <i>Defendants' Supplemental Response to Plaintiffs' Second Interrogatories Pursuant</i>

		to Court Order (Stine, James) (Entered: 10/15/2008)
10/16/2008	<u>337</u>	ORDER granting <u>319</u> Motion for Leave to File Excess Pages, nunc pro tunc, for good cause shown. Signed by Judge Clarence Cooper on 10/16/2008. (gar) (Entered: 10/17/2008)
10/20/2008	<u>338</u>	NOTICE of Hearing on Motion re: <u>320</u> MOTION to Strike Plaintiff's Expert Witness Jorge Rivero, <u>324</u> MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320-15) MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320-15) Motion Hearing set for 11/3/2008 09:30 AM before Judge Clarence Cooper. (pds) (Entered: 10/20/2008)
10/27/2008	<u>339</u>	NOTICE of Hearing on Motion re: <u>320</u> MOTION to Strike Plaintiff's Expert Witness Jorge Rivero, <u>324</u> MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320-15) MOTION to Strike Affidavit of Expert Witness Dan Bremer (Doc. 320-15). Motion Hearing reset for 11/12/2008 09:30 AM before Judge Clarence Cooper. (pds) (Entered: 10/27/2008)
10/29/2008	<u>340</u>	NOTICE by Eller and Sons Trees, Inc., Jerry Eller <i>Joint Notice to Withdraw Motions</i> (Stine, James) (Entered: 10/29/2008)
10/30/2008	<u>341</u>	ORDER terminating <u>320</u> Motion to Strike ; terminating <u>324</u> Motion to Strike. The Court hereby VACATES the Notice of Hearing <u>339</u> issued on October 27, 2008, and removes from its calendar the hearing on Defendants Motion to Strike Plaintiffs Expert Witness Jorge Rivero <u>320</u> and Plaintiffs Motion to Strike the Affidavit of Expert Witness Dan Bremer <u>324</u> . Signed by Judge Clarence Cooper on 10/30/08. (vs) (Entered: 10/30/2008)
11/03/2008	<u>342</u>	MOTION to Strike <u>307</u> Response to Motion,, <u>313</u> Reply Brief,, <u>334</u> Order on Motion to Compel, Order on Motion for Leave to File, Order on Motion to Strike <i>Renewed Motion to Strike</i> by Escolastico De Leon-Granados. (Spears, George) (Entered: 11/03/2008)
11/04/2008	<u>343</u>	MOTION for Appeal under 1292(b) with Brief In Support by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 11/04/2008)
11/06/2008	<u>344</u>	MOTION for Extension of Time to File Response to Defendants' Motion for Certification of Interlocutory Appeal by Escolastico De Leon-Granados. (Spears, George) (Entered: 11/06/2008)
11/07/2008	<u>345</u>	ORDER granting <u>344</u> Motion for Extension of Time. Plaintiffs shall have through and including December 8, 2008, to file their response to Defendants Motion for Certification of Interlocutory Appeal. Signed by Judge Clarence Cooper on 11/7/08. (vs) (Entered: 11/07/2008)
12/01/2008		Submission of <u>342</u> MOTION to Strike <u>307</u> Response to Motion,, <u>313</u> Reply Brief,, <u>334</u> Order on Motion to Compel, Order on Motion for Leave to File, Order on Motion to Strike <i>Renewed Motion to Strike</i> , submitted to District Judge Clarence Cooper. (vs) (Entered: 12/01/2008)
12/09/2008		Notification of Docket Correction re 346 Response in Opposition to Motion. Docket entry contains incorrect PDF attachment. Document to be re-filed with corrected PDF. (vs) (Entered: 12/09/2008)
12/09/2008	<u>347</u>	RESPONSE in Opposition re <u>343</u> MOTION for Appeal under 1292(b) filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 12/09/2008)
12/24/2008		Submission of <u>343</u> MOTION for Appeal under 1292(b), submitted to District Judge Clarence Cooper. (gar) (Entered: 12/24/2008)
12/26/2008	<u>348</u>	MOTION for Extension of Time File Reply Brief re: <u>343</u> Motion for Appeal under 1292(b) by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) Modified on 12/29/2008 to correct document link and filer information (gar). (Entered: 12/26/2008)
12/30/2008	<u>349</u>	ORDER granting <u>348</u> Motion for Extension of Time. Dfts' reply to plas' Opposition to Motion for Interlocutory Appeal shall be extended to 1/9/09. Signed by Judge Clarence Cooper on 12/30/08. (vs) (Entered: 12/30/2008)

01/08/2009	<u>350</u>	REPLY to Response to Motion re <u>343</u> MOTION for Appeal under 1292(b) filed by Eller and Sons Trees, Inc., Jerry Eller. (Attachments: # <u>1</u> H-2B Final Rule)(Stine, James) (Entered: 01/08/2009)
01/10/2009	<u>351</u>	MOTION for Leave to File Surreply In Opposition to Defendants' Motion for Certification of Interlocutory Appeal with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Text of Proposed Order)(Spears, George) (Entered: 01/10/2009)
02/05/2009		Submission of <u>351</u> MOTION for Leave to File Surreply In Opposition to Defendants' Motion for Certification of Interlocutory Appeal, submitted to District Judge Clarence Cooper. (vs) (Entered: 02/05/2009)
02/12/2009	<u>352</u>	NOTICE by Eller and Sons Trees, Inc., Jerry Eller of <i>Decision of Fifth Circuit Related to Defendant's Motion for Certification of Interlocutory Appeal Under 28 USCA Section 1292(b)</i> (Attachments: # <u>1</u> 5th Circuit Decision)(Stine, James) (Entered: 02/12/2009)
04/10/2009	<u>353</u>	NOTICE by Escolastico De Leon-Granados re <u>352</u> Notice (Other), <u>350</u> Reply to Response to Motion <i>Supplemental Authority In Opposition to Defendants' Motion for Certification of Interlocutory Appeal</i> (Attachments: # <u>1</u> Exhibit PL Ex 196, # <u>2</u> Exhibit PL Ex 197)(Spears, George) (Entered: 04/10/2009)
04/10/2009	<u>354</u>	Withdrawal of Motion <u>351</u> MOTION for Leave to File Surreply In Opposition to Defendants' Motion for Certification of Interlocutory Appeal filed by Escolastico De Leon-Granados filed by Escolastico De Leon-Granados. (Spears, George) (Entered: 04/10/2009)
06/19/2009	<u>355</u>	Notice for Leave of Absence for the following date(s): 7/31-8/3; 8/6-8/7; 8/28-9/2; 9/18-9/21; 10/2-10/6; 10/15-10/20; 10/23; 11/4-11/9; 11/20-11/23, by George Brian Spears. (Spears, George) (Entered: 06/19/2009)
07/15/2009	<u>356</u>	NOTICE by Eller and Sons Trees, Inc., Jerry Eller of <i>Temporary Injunction Issued by Middle District of NC related to Defendants' Motion for Certification of Interlocutory Appeal Under 28 U.S.C.A Section 1292(b)</i> (Attachments: # <u>1</u> Exhibit Westlaw Case)(Stine, James) (Entered: 07/15/2009)
07/23/2009	<u>357</u>	NOTICE by Eller and Sons Trees, Inc., Jerry Eller of <i>Decision of Fifth Circuit in Castellanos-Contreras v. Decatur Hotels, LLC Related to Defendants' Motion for Certification of Interlocutory Appeal Under 28 U.S.C.A. Section 1292(b)</i> (Attachments: # <u>1</u> Exhibit Decision of Fifth Circuit)(Stine, James) (Entered: 07/23/2009)
08/27/2009	<u>358</u>	NOTICE of Hearing on Motion re: <u>342</u> MOTION to Strike <u>307</u> Response to Motion,, <u>313</u> Reply Brief,, <u>334</u> Order on Motion to Compel, Order on Motion for Leave to File, Order on Motion to Strike <i>Renewed Motion to Strike</i> and <u>302</u> Motion to Strike Forms to Withdraw from Lawsuit and for Other Relief. Motion Hearing set for 9/23/2009 at 11:00 AM in ATLA Courtroom 1706 before Judge Clarence Cooper. (pds) (Entered: 08/27/2009)
08/27/2009	<u>359</u>	DOCUMENT FILED IN ERROR NOTICE of Hearing on Motion re: <u>342</u> MOTION to Strike <u>307</u> Response to Motion, <i>Renewed Motion to Strike</i> Motion Hearing set for 9/23/2009 at 11:00 AM in ATLA Courtroom 1706 before Judge Clarence Cooper. (vs) Modified on 8/27/2009 (vs). (Entered: 08/27/2009)
09/09/2009	<u>360</u>	MOTION to Strike <i>Invalidate Rule 68 Offer of Judgment</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit Pls.' Ex 198 - Offer of Judgment, # <u>3</u> Exhibit Pls.' Ex. 199 - E-mail Correspondence)(Spears, George) (Entered: 09/09/2009)
09/11/2009	<u>361</u>	NOTICE of TELECONFERENCE Hearing: Status Conference set for 9/16/2009 at 09:00 AM in ATLA Courtroom 1706 before Judge Clarence Cooper. (pds) (Entered: 09/11/2009)
09/14/2009	<u>362</u>	MOTION <u>335</u> Order on Motion for Sanctions,,, Order on Motion for Partial Summary Judgment,,,,,,,,,,,,, <i>Motion to Correct Summary Judgment Order</i> with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief, # <u>2</u> Exhibit Pls.' Ex. 200 - Affidavit of Dwight Steward)(Spears, George) (Entered: 09/14/2009)

		09/14/2009)
09/16/2009	<u>363</u>	Minute Entry for proceedings held before Judge Clarence Cooper: Telephone Conference held on 9/16/2009 (Motion hearing non-evidentiary). Counsel for Plaintiffs to prepare order with the Court's rulings and submit by Tuesday, Sept. 22, 2009. (Court Reporter Amanda Lohnaas)(vs) (Entered: 09/17/2009)
09/21/2009	<u>364</u>	PROPOSED ORDER re: <u>363</u> Telephone Conference,. (Spears, George) (Entered: 09/21/2009)
09/28/2009		Submission of <u>360</u> MOTION to Strike <i>Invalidate Rule 68 Offer of Judgment</i> , <u>364</u> Proposed Order, submitted to District Judge Clarence Cooper. (vs) (Entered: 09/28/2009)
09/28/2009	<u>365</u>	RESPONSE in Opposition re <u>360</u> MOTION to Strike <i>Invalidate Rule 68 Offer of Judgment</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 09/28/2009)
09/29/2009	<u>366</u>	ORDER denying <u>343</u> Motion for Appeal under 1292(b). Plaintiffs' Motion for Partial Summary Judgment Finding Violations of AWPAs Recordkeeping Requirements <u>208</u> is GRANTED. The portion of Defendants' Motion for Partial Summary Judgment seeking a determination that Defendants complied with 28 U.S.C. Sub/Sec.1821(d)(2) <u>190</u> and <u>195</u> is DENIED. Signed by Judge Clarence Cooper on 09/29/09. (fap) (Entered: 09/29/2009)
09/30/2009	<u>367</u>	ORDER GRANTING in part and DENYING in part Plaintiffs' <u>302</u> Motion to Strike Forms to Withdraw from Lawsuit and for Other Relief, and GRANTING Plaintiffs' <u>360</u> Motion to Invalidate Rule 68 Offer of Judgment, for the reasons fully stated on the record during the hearing held in the above-styled action on September 30, 2009. The Court DIRECTS counsel to comply with all instructions given by the Court at the conclusion of the hearing. Signed by Judge Clarence Cooper on 9/30/2009. (tcc) (Entered: 09/30/2009)
09/30/2009	<u>368</u>	AMENDED ORDER GRANTING in part and DENYING in part Plaintiffs' <u>302</u> and <u>342</u> Motion and Renewed Motion to Strike Forms to Withdraw from Lawsuit and for Other Relief, and GRANTING Plaintiffs' <u>360</u> Motion to Invalidate Rule 68 Offer of Judgment, for the reasons fully stated on the record during the hearing held in the above-styled action on September 30, 2009. The Court DIRECTS counsel to comply with all instructions given by the Court at the conclusion of the hearing (the Order [Doc. No. 367] entered previously in this action has been amended by the Court to clarify that the Court also has resolved by the rulings stated therein Plaintiffs' Renewed Motion to Strike Forms to Withdraw from Lawsuit and for Other Relief [Doc. No. 342]). Signed by Judge Clarence Cooper on 9/30/2009. (tcc) (Entered: 09/30/2009)
09/30/2009	<u>369</u>	Minute Entry for proceedings held before Judge Clarence Cooper: Motion Hearing held on 9/30/2009 re <u>302</u> MOTION to Strike, <u>342</u> MOTION to Strike, <u>360</u> MOTION to Strike, (Court Reporter Amanda Lohnaas)(vs) (Entered: 10/01/2009)
09/30/2009	<u>370</u>	DEPOSITION of Miguel Angel Rubio Zabala taken on 1/4/2008 by Plaintiffs (Attachments: # <u>1</u> Exhibit)(vs) Modified on 10/2/2009 (vs). (Entered: 10/02/2009)
09/30/2009	<u>371</u>	DEPOSITION of Todd Brown taken on 11/19/2007 by Plaintiffs (Attachments: # <u>1</u> Exhibit)(vs) (Entered: 10/02/2009)
09/30/2009	<u>372</u>	DEPOSITION of Brandy Woods taken on 1/3/2008 by Plaintiffs. (Attachments: # <u>1</u> Exhibit)(vs) (Entered: 10/02/2009)
09/30/2009	<u>373</u>	DEPOSITION of Ismael Olegario Recinos taken on 11/19/2007 by Plaintiffs. (Attachments: # <u>1</u> Exhibit)(vs) (Entered: 10/02/2009)
10/02/2009		Submission of <u>362</u> MOTION <u>335</u> Order on Motion for Sanction, Order on Motion for Partial Summary Judgment, <i>Motion to Correct Summary Judgment Order</i> submitted to District Judge Clarence Cooper. (vs) (Entered: 10/02/2009)
10/15/2009	<u>375</u>	NOTICE Of Filing Proposed Corrective Notice by Escolastico De Leon-Granados (Attachments: # <u>1</u> Proposed Corrective Notice)(Spears, George) (Entered: 10/15/2009)

11/02/2009	<u>376</u>	RESPONSE re 374 Detailed Specification and Itemization of Requested Attorney Fees, <i>Opposition To Plaintiffs Petition</i> filed by Eller and Sons Trees, Inc., Jerry Eller. (Stine, James) (Entered: 11/02/2009)
11/04/2009	<u>377</u>	ORDER Amending <u>335</u> Order on Motion for Partial Summary Judgment as follows: Plaintiffs and opt-inPlaintiffs are entitled to partial summary judgment in the amount of \$57,001.28, rather than \$53,890.86, and are hereby AWARDED the same. Signed by Judge Clarence Cooper on 11/4/2009. (vs) (Entered: 11/04/2009)
12/01/2009	<u>378</u>	CERTIFICATE of Counsel <i>Certificate of Mailing Corrective Notice</i> by George Brian Spears on behalf of Escolastico De Leon-Granados (Attachments: # <u>1</u> Exhibit Pl. Ex. 201 - Corrective Notice Mailed)(Spears, George) (Entered: 12/01/2009)
12/22/2009	<u>379</u>	Notice for Leave of Absence for the following date(s): 2/4-2/8/10; 3/12-3/19/10; 5/27-6/6/10; 6/30-7/7/10, by George Brian Spears. (Spears, George) (Entered: 12/22/2009)
12/22/2009	<u>380</u>	DOCUMENT FILED IN ERROR Notice for Leave of Absence for the following date(s): 2/4-2/8/10; 3/12-3/19/10; 5/27-6/6/10; 6/30-7/7/10, by George Brian Spears. (Spears, George) Modified on 12/23/2009 (vs). (Entered: 12/22/2009)
12/23/2009		Notification of Docket Correction re <u>380</u> Leave of Absence. Document is duplicate of docket entry <u>379</u> . (vs) (Entered: 12/23/2009)
01/11/2010	<u>382</u>	NOTICE Of Filing re Apolinario Gomez Rivas (vs) (Entered: 01/27/2010)
01/19/2010	<u>381</u>	NOTICE Of Filing re Nicolas Perez Domingo (vs) (Entered: 01/27/2010)
01/25/2010	<u>383</u>	NOTICE Of Filing re Jose' Perez Domingo (vs) (Entered: 01/27/2010)
01/27/2010	<u>384</u>	NOTICE Of Filing re Esai Matias Herrera (vs) (Entered: 01/29/2010)
02/23/2010	<u>385</u>	NOTICE Of Filing by Escolastico De Leon-Granados (Attachments: # <u>1</u> Opt-Out Form Of Diego Estanislao Pablo Martinez)(Spears, George) (Entered: 02/23/2010)
03/15/2010	<u>386</u>	NOTICE Of Filing Exclusion Form by Romiro Hernandez Perez. (aaq) (Entered: 03/16/2010)
04/19/2010	<u>387</u>	NOTICE Of Filing Exclusion Form by Mario Morales Mendez. (aaq) (Entered: 04/20/2010)
07/07/2010	<u>388</u>	Notice for Leave of Absence for the following date(s): 8/11-8/13/10; 9/22-9/24/10; 10/5/10; 10/27-10/29/10; 11/22-11/26/10; 12/22/10-1/3/11, by George Brian Spears. (Spears, George) (Entered: 07/07/2010)
07/22/2010	<u>389</u>	NOTICE Of Filing Second Amended Complaint by Escolastico De Leon-Granados (Attachments: # <u>1</u> Exhibit Pl. Ex. 201 - Written Consent, # <u>2</u> Second Amended Complaint)(Knoepp, James) (Entered: 07/22/2010)
07/23/2010	<u>390</u>	NOTICE of Hearing:Evidentiary Hearing on Damages set for 9/15/2010 at 09:30 AM in ATLA Courtroom 1706 before Judge Clarence Cooper. (vs) (Entered: 07/23/2010)
07/23/2010	<u>391</u>	STATUS REPORT by Escolastico De Leon-Granados. (Knoepp, James) (Entered: 07/23/2010)
07/23/2010	<u>392</u>	Minute Entry for proceedings held before Judge Clarence Cooper: Telephone Conference held on 7/23/2010. Discussed proposal regarding damages determination. Plaintiff to submit proposal in writing by Monday, July 26. (Court Reporter Amanda Lohnaas)(aaq) (Entered: 07/26/2010)
08/06/2010	<u>393</u>	MOTION to Award Statutory Damages with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief in Support of Motion to Award Statutory Damages, # <u>2</u> Affidavit of Dr. Dwight Steward)(Knoepp, James) Modified on 8/9/2010 to edit text. (aaq). (Entered: 08/06/2010)
08/24/2010		Submission of the <u>393</u> MOTION to Award Statutory Damages to District Judge Clarence Cooper. (aaq) (Entered: 08/24/2010)

08/26/2010	<u>394</u>	STIPULATION <i>Regarding Actual Damages Related to Claims Determined on Summary Judgment</i> by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Exhibit A)(Knoepp, James) (Entered: 08/26/2010)
08/30/2010	<u>395</u>	RESPONSE re <u>393</u> MOTION to Award Statutory Damages filed by Jerry Eller, Eller and Sons Trees, Inc.. (Stine, James) (Entered: 08/30/2010)
09/13/2010	<u>396</u>	REPLY to Response to Motion re <u>393</u> MOTION to Award Statutory Damages filed by Escolastico De Leon-Granados. (Knoepp, James) (Entered: 09/13/2010)
09/24/2010	<u>397</u>	SUGGESTION OF BANKRUPTCY filed by Jerry Eller, Eller and Sons Trees, Inc. of Defendant Jerry Eller (Attachments: # <u>1</u> Exhibit Notice of Filing)(Stine, James) Modified on 9/27/2010 to edit event text. (aaq). (Entered: 09/24/2010)
09/30/2010	<u>399</u>	NOTICE of Chapter 7 Bankruptcy Case, Meeting of Creditors &Deadlines. (aaq) (Entered: 10/08/2010)
10/07/2010	<u>398</u>	NOTICE of TELECONFERENCE Hearing: Status Conference set for 10/28/2010 at 10:00 AM before Judge Clarence Cooper.(STATUS CONFERENCE IS AS TO PLAINTIFFS AND DEFENDANT ELLER AND SONS TREES, INC., ONLY)(vs) (Entered: 10/07/2010)
11/04/2010	<u>400</u>	Minute Entry for proceedings held before Judge Clarence Cooper: Status Conference held on 11/4/2010. Litigation will proceed as to defendant Eller and Sons Trees, Inc., notwithstanding its administrative dissolution. (Court Reporter Amanda Lohnaas)(aaq) (Entered: 11/04/2010)
11/08/2010	<u>401</u>	Notice for Leave of Absence for the following date(s): 2/24-2/28/11, 3/11-3/18/11, 4/6-4/9/11, by George Brian Spears. (Spears, George) (Entered: 11/08/2010)
03/15/2011	<u>402</u>	NOTICE to File Claims filed by USBC. (aaq) (Entered: 03/15/2011)
07/11/2011	<u>403</u>	Notice for Leave of Absence for the following date(s): 7/21-7/22/11, 7/29/11, 8/19-8/22/11, 9/8-9/22/11, 10/13-10/14/11, 10/21-10/24/11, by George Brian Spears. (Spears, George) (Entered: 07/11/2011)
06/11/2012	<u>404</u>	ORDER of United States Bankruptcy Court for the District of Montana re: ORDER APPROVING SETTLEMENT. (mdy) (Entered: 06/12/2012)
06/12/2012		NOTICE of Undeliverable Electronic Mail re: <u>404</u> Order from Other Court. Mail returned for Andrew H. Turner due to no longer employed with agency. (aar) (Entered: 06/12/2012)
06/12/2012		NOTICE of Undeliverable Electronic Mail re: <u>404</u> Order from Other Court. Mail returned for Kelley Bruner due to no longer employed with the agency. (aar) (Entered: 06/12/2012)
09/28/2012	<u>405</u>	ORDER GRANTING Plaintiffs' <u>393</u> Motion to Award Statutory Damages and AWARDS Plaintiffs \$499,858.74 in statutory damages pursuant to 29 U.S.C. § 1854(c)(1). Signed by Judge Clarence Cooper on 9/28/2012. (tcc) (Entered: 10/01/2012)
10/04/2012	<u>406</u>	NOTICE of TELECONFERENCE Hearing: Status Conference set for 10/22/2012 at 10:00 AM in ATLA Courtroom 1706 before Judge Clarence Cooper. (vs) (Entered: 10/04/2012)
10/19/2012	<u>407</u>	Unopposed MOTION for Judgment with Brief In Support by Escolastico De Leon-Granados. (Attachments: # <u>1</u> Brief, # <u>2</u> Text of Proposed Order)(Knoepp, James) (Entered: 10/19/2012)
10/22/2012	<u>408</u>	Minute Entry for proceedings held before Judge Clarence Cooper: Status Conference held on 10/22/2012.The parties stipulate to the dismissal of the AWWPA claim brought under 29 U.S.C. § 1821 (d)(2). Plaintiffs are withdrawing their fee petition [Doc. No. 374]. Once stipulation of dismissal and notice of withdrawal of the fee petition are filed, the Court will enter a final judgment in the case. (Court Reporter Amanda Lohnaas)(tcc) (Entered: 10/23/2012)

10/26/2012	<u>409</u>	NOTICE by Escolastico De Leon-Granados of <i>Withdrawal of Motion for Attorneys' Fees and Costs</i> (Knoepp, James) (Entered: 10/26/2012)
10/26/2012	<u>410</u>	STIPULATION of Dismissal of <i>Claims Brought Pursuant to 29 U.S.C. 1821(d)(2)</i> by Escolastico De Leon-Granados. (Knoepp, James) (Entered: 10/26/2012)
10/26/2012	<u>411</u>	STIPULATION of Dismissal <i>AMENDED Stipulation of Dismissal of Claims Filed Pursuant to 29 U.S.C. 1821(d)(2)</i> by Escolastico De Leon-Granados. (Knoepp, James) (Entered: 10/26/2012)
10/29/2012	<u>412</u>	FINAL JUDGMENT entered in favor of the three named Plaintiffs and the twenty-three (23) additional opt-in Plaintiffs and against Eller and Sons Trees, Inc. and Jerry Albert Eller. Signed by Judge Clarence Cooper on 10/29/2012. (tcc) (Entered: 10/29/2012)
10/29/2012		Civil Case Terminated. (tcc) (Entered: 10/29/2012)