

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
BEAUMONT DIVISION**

REJI SAMUEL, ATHA MOHAMMAD ABDUL,
KESAVARAO BUNDANKAYALA, RAJU
DIVAKARAN, BIJU PERUMPILLY GEORGE,
KRISHNA GONTHINA, NAYAPPULLI
JAYACHANDRAN, GALLA VENKATA RAMA
KRISHNA, SAMUEL JOSE
KUMRUMTHODATHIL, LOHITHAKSHAN
MADAMPET, JOHNY MANDY MATHAI,
BELTHAZAR PETER, MOHANAN BALAKRISHNA
PILLAI, SANTHOSH KUMAR RAJENDRAN
PILLAI, ABY KARICKATHARA RAJU, SUMESH
PORAMBATHUPARAMBIL SUBRAMANIAN, and
CHANDRAN SHAJU THANISSERY,

Plaintiffs,

v.

SIGNAL INTERNATIONAL L.L.C., SIGNAL
INTERNATIONAL, INC., SIGNAL
INTERNATIONAL TEXAS, G.P., SIGNAL
INTERNATIONAL TEXAS, L.P., MALVERN C.
BURNETT, GULF COAST IMMIGRATION LAW
CENTER, L.L.C., LAW OFFICES OF MALVERN C.
BURNETT, A.P.C., GLOBAL RESOURCES, INC.,
MICHAEL POL, SACHIN DEWAN, and DEWAN
CONSULTANTS PVT. LTD. (a/k/a MEDTECH
CONSULTANTS),

Defendants.

CIV. NO. 1:13-cv-00323

**CONSENT ORDER REGARDING USE OF
DISCOVERY FROM RELATED CASES**

1. Plaintiffs in this case were absent putative class members in the case of *David, et al. v. Signal International, et al.*, United States District Court for the Eastern District of Louisiana, No. 08-1220 (SM/DEK). In *David*, twelve individuals alleged various federal and state claims for themselves and a putative class arising out of an alleged labor trafficking scheme

which resulted in hundreds of workers from India being employed by Signal in Mississippi and in Texas.

2. Judge Zainey denied a motion for class certification in the *David* case, *id.*, Dkt. 1117 (January 4, 2012). Plaintiffs in this *Joseph* case and different sets of plaintiffs in several other cases noted below filed lawsuits in this District and in the Southern District of Mississippi against groups of Defendants, varying by case, which overlapped with those sued in the *David* case, and alleging individual claims arising out of the alleged labor trafficking scheme described in *David*. The cases filed in the Southern District of Mississippi have been transferred to the Eastern District of Louisiana. These other cases (“the related individual cases”), with a different set of individual plaintiffs in each and with several common defendants in each, are as follows:

- *David, et al. v. Signal Int’l, LLC, et al.*, No. 08-1220 (SM/DEK) (E.D. La.);
- *Achari, et al. v. Signal Int’l, LLC, et al.*, No. 13-6218 (SM/DEK) (E.D. La.);
- *Chakkiyattil, et al. v. Signal Int’l, LLC, et al.*, No. 13-6219 (SM/DEK) (E.D. La.);
- *Joseph, et al. v. Signal Int’l, LLC, et al.*, No. 13-CV-00324-RC-ZHI (E.D.Tex.);
- *Krishnakutty, et al. v. Signal Int’l, LLC, et al.*, No. 13-6220 (SM/DEK) (E.D. La.);
- *Devassy, et al. v. Signal Int’l, LLC, et al.*, No. 13-6221 (SM/DEK) (E.D. La.);
- *Singh, et al. v. Signal Int’l, LLC, et al.*, No. 14-732 (ILRL-SS) (E.D. La.);
- *Meganathan, et al. v. Signal Int’l, LLC, et al.*, No. 1:13-cv-00497-MAC-ZJH (E.D. Tex.);
- *Kambala, et al. v. Signal Int’l, LLC, et al.*, No. 1:13-cv-00498-RC-ZJH (E.D. Tex); and

- *Marimuthu, et al. v. Signal Int'l, LLC, et al.*, No. 1:13-cv-00499-MAC-ZJH (E.D. Tex.).

3. In addition, the EEOC has filed a lawsuit (“the *EEOC* case”) against Signal, which has been joined by the *David* plaintiffs, *EEOC v. Signal Int'l, LLC, et al.*, 12-00557 (SM/DEK) (E.D. La.).

4. The related individual cases and the *EEOC* case will hereinafter be referred to as “the Related Cases.”

5. The parties in this case who have expressed a view on the issue agree that it will be most efficient and economical for all parties if all discovery produced or taken in the Related Cases, including documents produced, written discovery responses and deposition testimony, is made available to the parties for use in this case as if the discovery had been taken for use in this case.

6. The parties in this case who have expressed a view on the issue agree that the Samuel Plaintiffs may attend and/or participate in depositions which have been scheduled in the Related Cases. Such attendance and/or participation does not waive the Samuel Plaintiffs rights to notice other depositions, including Rule 30(b)(6) depositions, and the Samuel Plaintiffs specifically reserve the right to depose previously deposed witnesses on topics germane to the Samuel Plaintiffs to the extent those topics have not been addressed in previous depositions. The Samuel Plaintiffs do not intend on duplicating depositions, however given the Signal Defendants position on the sharing of the ESI produced in a portion of the Related Cases, the Samuel Plaintiffs cannot to commit to reviewing the yet unproduced data and be prepared for depositions starting in a few weeks in the Related Cases.

7. The parties in this case all agree that the cost of securing multiple sealed original transcripts is excessive and could be duplicative in the circumstances where one deposition transcript is utilized in more than one trial. The parties stipulate to the authenticity of deposition transcripts from Related Cases and agree that the use of sealed original transcripts is not necessary for deposition transcripts from Related Cases.

8. Through counsel, Plaintiffs here and three groups of Defendants have consented to the entry of this Order. The consenting defendants are the Signal Defendants (the four named Signal entities), the Burnett Defendants (Malvern Burnett and his law firms) and the Dewan Defendants (Sachin Dewan and Dewan Consulting). Global Resources (whose principal, Michael Pol, is in bankruptcy) have been sent notice of this proposed Order, but have not objected or responded.

9. For good cause shown, the Court hereby orders as follows:

(a) Any discovery provided by any party in any of the Related Cases, including documents produced, responses to written discovery requests and deposition testimony, shall be usable by any party in this case as if provided in and/or taken for use in this case.

(b) Any non-party discovery provided or taken in any of the Related Cases shall be usable by any party in this case as if provided in or taken for use in this case.

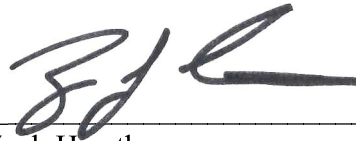
(c) Any discovery provided as confidential under any protective order in effect in any of the Related Cases shall be similarly treated under the Protective Order in this case.

(d) The parties are expected to utilize discovery from the Related Cases to limit the need for duplicative discovery in this case. But all parties to this case reserve the right

to seek additional discovery on particular topics from any party or witness, subject to the rights of other parties and/or witnesses to seek a protective order on the ground that discovery in the Related Cases has been sufficient in that regard.

SO ORDERED

SIGNED this 30th day of May, 2014.

A handwritten signature in dark ink, appearing to read 'Zack Hawthorn', written over a horizontal line.

Zack Hawthorn
United States Magistrate Judge