

In the United States Court of Federal Claims

No. 90-162C
and Consolidated Cases

(Filed August 1, 2011)

\* \* \* \* \*
STEPHEN ADAMS, et al.,
Plaintiffs,
v.
THE UNITED STATES,
Defendant.
\* \* \* \* \*

ORDER

On July 27, 2011, pursuant to the court’s order of May 31, 2011, the parties filed a Joint Status Report (JSR) in the subject matter. The parties’ status report gives an overview of outstanding claims and settlement negotiations that have occurred and/or are underway in the subject matter. Most notably, “the parties signed a partial settlement agreement settling all outstanding claims of 1608 plaintiffs, inclusive of claims for attorney fees, costs and expenses, and settling all claims of all other plaintiffs for attorney fees, costs, and expenses, except for fees and expenses incurred in connection with claims that have not yet been resolved.” JSR at 1. Stipulations of dismissal were filed on June 2 and June 22, 2011. Id. “There remain 715 plaintiffs with claims that have not yet been resolved.” Id.

The parties continue to discuss the FLSA exemption status of certain employees in GM-13 positions. The claims of other plaintiffs who claim underpayment of Administratively Uncontrolled Overtime were resolved, with a few exceptions, by the large settlement discussed above. The exceptions have not been addressed since the parties’ last status report. In addition, plaintiffs’ settlement proposal regarding approximately fifty plaintiffs who worked for the

Office of Personnel Management as background investigators is the subject of discussions between counsel. Plaintiffs are also considering the government's response to their settlement proposal regarding the claims of approximately sixty plaintiffs transferred to Opa Locka Airport after Hurricane Andrew. Finally, the claims of a particular Secret Service plaintiff, John P. Connelly, are still in dispute but have not been discussed by the parties since they filed their last status report.

In conclusion, the parties report that they continue to discuss a number of other claims and issues, and request that their next status report be filed on or before September 12, 2011. Accordingly, it is hereby **ORDERED** that the parties shall **FILE a Joint Status Report**, on or before **September 12, 2011**, to apprise the court of the status of the resolution of the claims in the subject matter.

/s/Lynn J. Bush

LYNN J. BUSH

Judge