

**In the United States Court of Federal Claims**

No. 90-162C  
and Consolidated Cases

(Filed September 15, 2010)

* * * * *	*
STEPHEN ADAMS, <i>et al.</i> ,	*
	*
<i>Plaintiffs,</i>	*
	*
v.	*
	*
THE UNITED STATES,	*
	*
<i>Defendant.</i>	*
* * * * *	*

**ORDER**

On September 8, 2010, pursuant to the court’s order of June 28, 2010, the parties filed a Joint Status Report 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 have been negotiating a large settlement concerning plaintiffs employed at certain agencies, including the plaintiffs employed by the Office of Inspector General (OIG) of the Department of Health and Human Services and the OIG of the Department of Housing and Urban Development. Recently, counsel have discussed specific settlement amounts for the claims of over one thousand plaintiffs. The Department of Justice is reviewing plaintiffs’ proposed settlement offers.

Nonetheless, the parties report that several issues cloud the settlement process. A dispute has arisen over the proposed settlement amounts for certain plaintiffs who worked for the Naval Criminal Investigative Service. In addition, recalculation of proposed settlement amounts was required for certain plaintiffs who worked for the Food and Drug Administration. The parties have also

disagreed, in a more general way, as to the procedures and conditions of settlement as they apply to individual plaintiffs.

Aside from the issues related to the proposed large settlement, the parties continue to discuss the FLSA exemption status of certain employees classified as management employees in GM-13 positions. In addition, the parties have now brought their discussion of Administratively Uncontrollable Overtime allegedly owed plaintiffs by the Defense Criminal Investigative Service, with a few exceptions, into the broader settlement process described *supra*. As to the dismissal of claims and/or plaintiffs within these consolidated cases, the parties continue to disagree as to whether the dismissal of claims in some of the earliest filed cases in this litigation is appropriate. In conclusion, the parties request that their next status report be filed on or before November 17, 2010.

Accordingly, it is hereby **ORDERED** that the parties shall **FILE a Joint Status Report**, on or before **November 17, 2010**, 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