

IN THE DISTRICT COURT OF THE UNITED STATES FOR THE  
MIDDLE DISTRICT OF ALABAMA, NORTHERN DIVISION

JOHNNY REYNOLDS, et al.,	)	
	)	
Plaintiffs,	)	
	)	
v.	)	CIVIL ACTION NO.
	)	2:85cv665-MHT
ALABAMA DEPARTMENT OF	)	(WO)
TRANSPORTATION, et al.,	)	
	)	
Defendants.	)	

OPINION AND ORDER

This long-standing litigation is now before the court on the special master's recommendation that the defendants' motion for summary judgment on claimant Elred Jones's individual-contempt claims should be granted in part and denied in part. The special master recommends that the defendants' motion should be granted on Jones's "training" and "instatement" claims and denied on his "job rotation" claim. The plaintiffs and defendants have filed objections to the recommendation. After an independent and de novo review of the record, the court concludes that the objections should be overruled and the

recommendation adopted. Summary judgment is granted only as to Jones's "training" and "instatement" claims. It is best that the special master be allowed to have a hearing on Jones's "job rotation" claim.

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It is therefore the ORDER, JUDGMENT, and DECREE of the court as follows:

- (1) The plaintiffs' objections (Doc. No. 8578) are overruled.
- (2) The defendants' objections (Doc. No. 8565) are overruled.
- (3) The special master's recommendation (Doc. No. 8559) is adopted.
- (4) The defendants' motion for summary judgment (Doc. No. 8457) is granted on claimant Elred Jones's individual-contempt claims regarding "training" and "instatement."

(5) The defendants' motion for summary judgment (Doc. No. 8457) is denied on claimant Jones's individual-contempt claim regarding "job-rotation."

(6) Judgment is entered in favor of the defendants and against the plaintiffs as to claimant Jones's individual-contempt claim regarding "training" and "instatement."

It is further ORDERED that this matter is referred back to the special master for further appropriate proceedings.

DONE, this the 29th day of April, 2010.

/s/ Myron H. Thompson  
UNITED STATES DISTRICT JUDGE