

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)	
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 Kenneth Larkin's individual-contempt claims should be denied in part and granted in part. The special master recommends that the defendants' motion should be denied on Larkin's "out-of-classification" and "rotation" claims and granted on all his other claims. The plaintiffs and the 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.

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

- (1) The plaintiffs' objections (doc. no. 8755) and the defendants' objections (doc. no. 8744) are overruled.
- (2) The special master's recommendation (doc. no. 8734) is adopted.
- (3) The defendants' motion for summary judgment (doc. no. 8450) is denied on claimant Kenneth Larkin's individual-contempt "out-of-classification" and "rotation" claims.
- (4) The defendants' motion for summary judgment (doc. no. 8450) is granted on all of claimant Larkin's other individual-contempt claims.
- (5) Judgment is entered in favor of the defendants and against the plaintiffs as to all of claimant

Larkin's individual-contempt claims except his
"out-of-classification" and "rotation" claims.

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

DONE, this the 13th day of February, 2012.

/s/ Myron H. Thompson
UNITED STATES DISTRICT JUDGE