

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
WESTERN DIVISION

CHRISTOPHER ALLEN, ET AL.

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Plaintiff

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V.

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NO: 4:10CV1514 SWW

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PULASKI COUNTY

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Defendant

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ORDER

Approximately ninety plaintiffs bring this putative collective action against Pulaski County pursuant to the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 201- 219. Before the Court is the County’s motion for expanded written discovery. In an effort to avoid the time and cost associated with deposing each plaintiff, the County requests permission to propound more than 25 interrogatories to each plaintiff. Along with its motion, the County provides a copy of its proposed interrogatories, the majority of which require the plaintiff to state the number of hours he or she claims for each of 67 work periods at issue in this case.

Plaintiffs respond that they have no objection to an expansion of written discovery, provided that County agrees that its discovery requests will be limited to the proposed interrogatories, which will “take the place of deposing each of the witnesses.” Docket entry#20, at 2. The County replies that it is possible that responses to the proposed written interrogatories will necessitate further discovery, and it cannot agree that further discovery will not be warranted.

The County's motion for expanded written discovery (docket entry #14) is GRANTED. The County has permission to propound the proposed interrogatories filed with its motion. This grant of expanded written discovery does not limit the County's ability to depose individual plaintiffs; however, the County must seek leave of Court before conducting more than the maximum number of depositions permitted under the Federal Rules of Civil Procedure.

IT IS SO ORDERED THIS 6TH DAY OF JUNE, 2011.

/s/Susan Webber Wright
UNITED STATES DISTRICT JUDGE