

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

**R. ALEXANDER ACOSTA, Secretary of Labor,
United States Department of Labor**

PETITIONER

v.

No. 4:17-mc-16-DPM

**HARRIS TRUCKING & CONCRETE
CONSTRUCTION, INC.**

RESPONDENT

ORDER

The Court has received the attached letter from Harris Trucking's former lawyer.

So Ordered.

D.P. Marshall Jr.
D.P. Marshall Jr.
United States District Judge

24 August 2017

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August 23, 2017

VIA ELECTRONIC AND US MAIL

Karla Jackson Edwards
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RE: R. Alexander Acosta, U.S. Secretary of Labor v. Harris Trucking & Concrete Construction, Inc.; No. 4:17-mc-00016-DPM

Dear Ms. Edwards:

Per my voicemail to you today, I do not represent the Respondent in the above-styled civil matter you initiated. I have a conflict of interest under the ethical rules for lawyers because I will likely be a witness in the case and contradict several of Investigator Fischer's factual allegations. I have received the pleadings in the case from you and I forwarded them to the Respondent's owner.

Also per my voicemail to you today, I recently again sent Investigator Fischer Respondent's payroll records for 2 years (2015 & 2016).

Finally, per my voicemail to you today, Mr. Harris's direct contact information is [REDACTED] and he is willing to provide you with any of the additional documents you have requested that are in his possession. He is also willing to schedule an onsite visit at a mutually agreeable time, as he has been willing to do throughout this entire process.

I am copying the Court on this letter to inform the Court that I do not represent the Respondent in the above-style action. Further, I want Judge Marshall to know that I repeatedly asked you on multiple occasions to discuss and resolve this issue prior to litigation but you refused to discuss it with me.

Sincerely,

COX, STERLING, McCLURE &
VANDIVER, PLLC

By:


Brian A. Vandiver

BAV:ss

cc: U.S. District Court Judge D.P. Marshall Jr. (dpmchampbers@ared.uscourts.gov)
Investigator Kyle Fischer (fischer.kyle@dol.gov)