

**UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF ARKANSAS  
EL DORADO DIVISION**

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<b>J. GUADALUPE RESENDIZ-RAMIREZ,</b>	)	)
<b>et al.,</b>	)	)
	)	)
<b>Plaintiffs,</b>	)	)
	)	<b>Civil Action No. 07-1028</b>
<b>v.</b>	)	)
	)	)
<b>P &amp; H FORESTRY, LLC, et al.,</b>	)	)
	)	)
<b>Defendants.</b>	)	)
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**CONSENT JUDGMENT AND ORDER**

Plaintiffs and Defendants Brent Harrod, John Harrod, and P & H Forestry, LLC (hereinafter “Arkansas Defendants”), by and through their attorneys, hereby stipulate and agree to this final judgment and order in favor of Plaintiffs against Defendant P & H Forestry, LLC with respect to all counts in the Complaint.

**IT IS HEREBY ORDERED, ADJUDGED AND DECREED** that:

1. This Court has jurisdiction over this matter and the parties hereto pursuant to 29 U.S.C. § 216(b), 28 U.S.C. § 1331, 28 U.S.C. § 1337 and 28 U.S.C. § 1367, and venue is proper pursuant to 28 U.S.C. § 1391(b).
  
2. Plaintiffs’ Complaint states claims against Defendant P & H Forestry, LLC upon which relief may be granted under the Fair Labor Standards Act, 29 U.S.C. §§ 201–219 (hereinafter “FLSA”), the Migrant and Seasonal Agricultural Worker Protection Act, 29 U.S.C. §§ 1801–1872 (hereinafter “AWPA”), state contract law, and state statutory law.

3. Plaintiffs are awarded judgment against Defendant P & H Forestry, LLC in the amount of \$36,000.00 (Thirty-Six Thousand and No/100ths).

4. The said judgment of \$36,000.00 (Thirty-Six Thousand and No/100ths) against Defendant P & H Forestry, LLC shall be designated as consisting of \$10,000 in liability for unpaid wages to Plaintiffs under the FLSA and \$26,000 in liability for damages to Plaintiffs under the AWP, breach of contract, and the remaining state law claims.

5. Plaintiffs are awarded post-judgment interest, which shall accrue beginning on the date of entry of this judgment and shall be determined by using the Treasury Bill rate prevailing on the date of entry pursuant to 28 U.S.C. § 1961.

6. Defendants shall implement and begin using an electronic payroll system that maintains all records required by law under 29 U.S.C. § 211(c) and its implementing regulations at 29 C.F.R. §516.2(a), 29 U.S.C. § 1821(d), and 20 C.F.R. § 655.104(j) at any entity owned, operated, managed, or supervised by them, by May 1, 2009. The Arkansas Defendants shall provide any person working for them or any entity owned, operated, managed, or supervised by them, with complete pay stubs as required by 29 U.S.C. § 1821(d) and 20 C.F.R. § 655.104(k). The Arkansas Defendants shall provide Plaintiffs' counsel with a complete copy of payroll records for each calendar year (with names redacted), including any supporting documents such as field tally sheets, for themselves or any entity owned, operated, managed, or supervised by them, by January 10, 2010 and January 10, 2011 respectively. The Arkansas Defendants shall simultaneously provide Plaintiffs' counsel with a sample pay stub for each year showing the type of information that has been provided to anyone working for the Arkansas Defendants or any entity owned, operated, managed, or supervised by them.

7. This Court retains jurisdiction to enforce the terms of this consent judgment and order.

8. Upon entry, this judgment and order will become final and execution may be levied on it immediately.

IT IS SO ORDERED this 3rd day of June, 2009.

/s/ Harry F. Barnes  
Hon. Harry F. Barnes  
United States District Judge