

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF FLORIDA  
FORT MYERS DIVISION

BALDEMAR BAUTISTA-CRUZ,  
RICARDO GUERRERO-CHAVERO,  
JOSE OMAR MARTINEZ-CORONEL,  
ENRIQUE MARTINEZ-ZEFERINO,  
LEOPOLDO ANTONIO ORTEGA,  
EFREN PICHARDO-HERNANDEZ,  
ANTONIO MARCELINO ROSENDO  
and EDGAR DAVID VELAZQUEZ-  
REYES, individually and on behalf of  
all other persons similarly situated

Plaintiffs,

v.

Case No: 2:15-cv-725-FtM-29CM

D&K HARVESTING, INC.,

Defendant.

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**ORDER**

Before the Court is Plaintiffs' Unopposed Motion for Joinder of Six Additional Individuals as Parties [sic] Plaintiff and for Leave to File Amended Complaint (Doc. 29), filed on May 28, 2016. Plaintiffs seek leave to join six additional individuals to join in this action as party plaintiffs. Doc. 29 at 1. Plaintiffs also seek leave to amend their complaint. *Id.* at 2. Defendant does not oppose the requested relief. *Id.* For the reasons set forth below, Plaintiffs' motion is granted.

Rule 20, Federal Rules of Civil Procedure, provides that individuals may join as plaintiffs if, "they assert any right to relief jointly, severally, or in the alternative with respect to or arising out of the same transaction, occurrence, or series of transactions or occurrences; and any question of law or fact common to all plaintiffs

will arise in the action.” Fed. R. Civ. P. 20(a). “The central purpose of Rule 20 is to promote trial convenience and expedite the resolution of disputes, thereby eliminating unnecessary lawsuits.” *Brandywine Communications Technologies, LLC v. Verizon Communications, Inc. et al.*, No. 6:11-cv-1344-Orl-36DAB, 2012 WL 527536, at \*1 (M.D. Fla. Jan. 12, 2012) (citing *Alexander v. Fulton County*, 207 F.3d 1303, 1323 (11th Cir. 2003)).

Here, Plaintiffs allege that the six workers seeking to join in this action have claims identical those raised by the current party plaintiffs. Doc. 29 at 3. Additionally, Plaintiffs allege that joinder of these six individuals would promote judicial economy and efficiency by preventing these individuals from filing their own separate action. *Id.* at 2-3. The Court agrees. Accordingly, Plaintiffs’ request for joinder is granted.

Plaintiffs also seek leave to file an amended complaint to add the additional plaintiffs and remove the class based claims. Doc. 29 at 4. Rule 15, Federal Rules of Civil Procedure, provides that, for amendments not filed as a matter of course, “a party may amend its pleading only with the opposing party’s written consent or the court’s leave. The court should freely give leave when justice so requires.” Fed. R. Civ. P. 15(a)(2). “Although leave to amend shall be freely given when justice so requires, a motion to amend may be denied on numerous grounds such as undue delay, undue prejudice to the defendants, and futility of the amendment.” *Maynard v. Bd. of Regents of the Div. of Univs. of the Fla. Dep’t of Educ. ex rel. Univ. of S. Fla.*, 342 F.3d 1281, 1287 (11th Cir. 2003) (internal quotation marks omitted).

Upon review of Plaintiffs' Amended Complaint, the Court finds that amendment would not be futile as Plaintiff has asserted a good faith basis for the amendment, and there is no evidence that granting Plaintiffs' motion would cause undue prejudice to Defendant. Thus, the Court will allow the amendment.

ACCORDINGLY, it is hereby

**ORDERED:**

1. Plaintiffs' Unopposed Motion for Joinder of Six Additional Individuals as Parties Plaintiff and for Leave to File Amended Complaint (Doc. 29) is **GRANTED**.
2. Plaintiffs' shall have up to and including **June 20, 2016** to file their Amended Complaint.

**DONE** and **ORDERED** in Fort Myers, Florida on this 14th day of June, 2016.

  
CAROL MIRANDO  
United States Magistrate Judge

Copies:  
Counsel of record