

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

GREGORY GIBBS and TATONYA
HUGGINS, on behalf of himself and
those similarly situated

Plaintiffs,

v.

Case No.: 2:18-cv-434-FtM-38MRM

MLK EXPRESS SERVICES, LLC,
AMAZON LOGISTICS, INC.,
AMAZON.COM SERVICES, INC.,
MANIHONG M. PHANOUVONG,
LILA V. PHANOUVONG,
AMAZON.COM, INC. and AG PLUS
EXPRESS, LLC,

Defendants.

ORDER¹

Before the Court is a sua sponte review of the file. This is a Fair Labor Standards Act collective action. The parties filed their proposed notice forms for the Court's review and approval. ([Docs. 180](#); [181](#); [182](#)). Given the dismissal of a related collective action—[Burns v. MLK Express Services, LLC, 2:18-cv-00625-TJC-MRM \(M.D. Fla.\) \(Doc. 37\)](#)—the parties' notices here need revisions, particularly Defendants' notice discussing the Burns collective action. So the proposed notices, construed as motions to approve the notices, are denied in their current form. The Burns Plaintiffs will file a notice about how they will proceed on or before May 5, 2020. At that point, the path forward in this case

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will be in better view. And the Court will set another deadline for the parties to file amended motions to approve the proposed notice forms. In the meantime, the Court encourages the parties to work towards a joint proposed form, and file an unopposed motion for approval, so the final notices can issue as soon as possible.

Accordingly, it is now

ORDERED:

1. The proposed notices ([Docs. 180](#); [181](#); [182](#)), construed as motions to approve the notices, are **DENIED**.
2. The Clerk is **DIRECTED** to file a copy of this Order in Burns v. MLK Express Services, LLC, 2:18-cv-00625-TJC-MRM.

DONE and **ORDERED** in Fort Myers, Florida this 17th day of April, 2020.


SHERI POLSTER CHAPPELL
UNITED STATES DISTRICT JUDGE

Copies: All Parties of Record