

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

ANTONIO SALDANA,

Plaintiff,

v.

Case No. 2:21-cv-339-JLB-NPM

JOHNSON'S TREE SERVICE AND
STUMP GRINDING, INC.,
DAVID JOHNSON, and
DAYNA JOHNSON,

Defendants.

ORDER

Before the Court is Plaintiff's Motion for Extension of Time (Doc. 15). While unclear, it appears that Plaintiff Antonio Saldana suspects that Defendants Johnson's Tree Service and Stump Grinding, Inc., David Johnson, and Dayna Johnson will not comply with the FLSA Fast-Track Scheduling Order (Doc. 13) and timely serve the time sheets and payroll records for work performed by Saldana during the time period at issue. Saldana also voices concern that Defendants will not serve complete payroll records. So, Saldana does not want to turn over his records until Defendants do so.

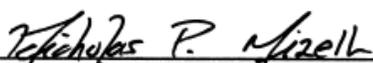
In essence, Saldana is ready to comply with the FLSA Fast-Track Scheduling Order, and Defendants have not sought an extension of time to comply. So, both

parties should have been able to meet the July 14, 2021 deadline. Instead, on the basis of hunches and suspicions, Saldana requests the Court stagger this deadline to require Defendants to produce their documents first and then Saldana will produce his. The Court finds no good cause to extend either Saldana's or Defendants' July 14, 2021 deadline. The Fast-Track Scheduling Order is a court order that directs faithful compliance. And the simultaneous exchange of documents has been required in FLSA cases—without incident—for years. Further, Defendants are represented by counsel and there is no reason to suspect Defendants' counsel would not impress upon his clients the duty to properly comply.

To avoid future motion practice, the Court will extend the mutual exchange deadline by a week and clarify that Defendants may not incorporate Saldana's production—in any way—when discharging their obligation to comply with the Court's order.

Accordingly, the Motion for Extension of Time (Doc. 15) is **GRANTED** to the limited extent that the mutual exchange of documents in the FLSA Fast-Track Scheduling Order is extended to July 21, 2021. (*See* Doc. 13, p. 2). All other provisions of the scheduling order remain in effect.

ORDERED in Fort Myers, Florida on July 15, 2021.



NICHOLAS P. MIZELL
UNITED STATES MAGISTRATE JUDGE