

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF LOUISIANA**

GWENDOLYN PIERRE, ET AL

CIVIL ACTION

VERSUS

NO. 17-1013

T&K EXPRESS, INC., ET AL

SECTION "N" (1)

ORDER AND REASONS

Presently before the Court is: (1) Defendants T&K Express Inc. and Melvin Ruch's Motion to Determine Conflict-Free Representation (Rec. Doc. 36); and (2) Plaintiffs Anietra Pierre, Felicia Pierre, and Percy Ross' Ex Parte Motion for Leave to File Plaintiffs' Cross Claim (Rec. Doc. 46). Having carefully considered the parties' submissions, the record, and the applicable law, **IT IS ORDERED** that the motions are **DENIED WITHOUT PREJUDICE**.

Defendants' Motion to Determine Conflict-Free Representation, which is not opposed by Plaintiffs, apprises the Court of a conflict of interest of Plaintiffs' counsel that appears to be legitimate. Thus, allowing Plaintiffs to file a cross claim is improper until the conflict is resolved. Moreover, since the Court denies the request to file a cross claim, the Motion to Determine Conflict-Free Representation is properly denied without prejudice, as a conflict of interest exists only if the Court were to allow Plaintiffs to file the cross claim at this time.

New Orleans, Louisiana, this 27th day of October 2017.


KURT D. ENGELHARDT
UNITED STATES DISTRICT JUDGE