

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION

|                      |   |                           |
|----------------------|---|---------------------------|
| DAVID WELLS, et al., | ) |                           |
|                      | ) |                           |
| Plaintiffs,          | ) |                           |
|                      | ) |                           |
| vs.                  | ) | Case No. 4:10-CV-2080-JAR |
|                      | ) |                           |
| FEDEX GROUND PACKAGE | ) |                           |
| SYSTEM, INC.,        | ) |                           |
|                      | ) |                           |
| Defendant.           | ) |                           |

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|-----------------------|---|----------------------------|
| REGINALD GRAY, et al, | ) |                            |
|                       | ) |                            |
| Plaintiffs,           | ) |                            |
|                       | ) |                            |
| vs.                   | ) | Case No. 4:06-CV-00422-JAR |
|                       | ) |                            |
| FEDEX GROUND PACKAGE  | ) |                            |
| SYSTEM, INC.,         | ) |                            |
|                       | ) |                            |
| Defendant.            | ) |                            |

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**MEMORANDUM AND ORDER**

This matter is before the Court on Defendant’s Motion to Strike and/or For Clarification. [ECF Nos. 170, 291] Following a telephone conference with counsel on December 7, 2012,

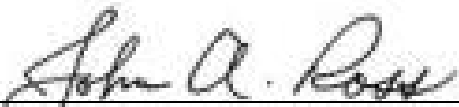
**IT IS HEREBY ORDERED** that Defendant’s Motion to Strike and/or For Clarification [170, 291] is **GRANTED**. Plaintiffs’ Consolidated Statement of Additional Uncontroverted Material Facts (Doc. Nos. 156, 277) is stricken from the record.

**IT IS FURTHER ORDERED** that Plaintiffs are granted leave to supplement their Response to Defendant’s Statement of Uncontroverted Facts (Doc. No. 155) and to make any revisions to their Memorandum in Opposition to FedEx Ground Package System, Inc.’s

Consolidated Motion for Summary Judgment (Doc. No. 154) in order to reflect the correct citations to their supplemented Response, no later than **Tuesday, December 11, 2012.**

**IT IS FURTHER ORDERED** that the parties shall file their respective replies to the pending cross motions for summary judgment no later than **Friday, December 14, 2012.**

Dated this 7th day of December, 2012.

  
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JOHN A. ROSS  
UNITED STATES DISTRICT JUDGE