

IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

Don Brooks & Alexandria Johnson,)
On Behalf of themselves and)
all others similarly situated,)
)
Plaintiffs,)
)
v.)
)
C.H. Robinson International. Inc., et al.,)
)
Defendants.)

Case No. 4:16-cv-00939-761-HFS

MEMORANDUM

A discovery dispute has been brought to our attention by way of a joint email to chambers dated September 22, 2017.

The dispute is whether plaintiffs are entitled to conduct a Rule 30(b)(6) deposition of corporate representatives during the Phase One discovery period and whether the remaining briefing of the motion to certify should be amended due to these depositions.

The parties agreed to allow plaintiffs to conduct the depositions of Phase One corporate representatives by written questions pursuant to Rule 31(a)(4). Thus, the only dispute remaining is whether the briefing schedule should be amended. Defendants argue that the briefing schedule should be amended because plaintiffs would have the benefit of information from the depositions in their reply brief that they may not have in their motion in opposition.

The parties should keep the briefing schedule in place. Should defendants find it necessary to address information provided by plaintiffs in their reply brief, defendants would have the opportunity to file a motion for leave to file a sur reply to address such information or argument.

/s/ Howard F. Sachs
Howard F. Sachs
United States District Court Judge

September 26, 2017
Kansas City, Missouri