

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION**

JARED MODE, on behalf of himself and all
others similarly situated,

Plaintiffs,

v.

S-L DISTRIBUTION COMPANY, LLC,
S-L DISTRIBUTION COMPANY, INC., and
S-L ROUTES, LLC,

Defendants.

No. 3:18-cv-00150-KDB-DSC

**ORDER GRANTING JOINT MOTION
REGARDING RE-ENTRY INTO THE LITIGATION**

This matter comes before the Court on the parties' Joint Motion Regarding Re-entry into the Litigation. The Court, having reviewed the Motion, GRANTS the Motion and ORDERS as follows:

a. James D. Shofner may re-enter the case as an Opt-In Plaintiff, with his FLSA claims tolled as of August 10, 2018; William Liantonio may re-enter the case as an Opt-In Plaintiff, with his FLSA claims tolled as of May 15, 2019;

b. Shofner's and Liantonio's claims will be subject to S-L's Second Amended Answer and Counterclaims (Dkt. 538), i.e., S-L need not file specific answers and/or counterclaims against Liantonio and/or Shofner; and

c. S-L's Consolidated Third-Party Complaint (Dkt. 539) will be deemed to have been timely filed against Liantonio Enterprises LLC (Liantonio's distribution company) and Elite Snacks, Inc. (Shofner's distribution company), i.e., S-L need not file specific third-party complaints against those entities.

d. The following names shall be stricken from the Declaration of Kyle Jordan (Dkt. 515-1), based on the parties' representation that they have conferred and determined that these individuals' claims are not subject to arbitration: William Liantonio, James D. Shofner, and Clifton Hofferbert.¹

SO ORDERED.

Signed: November 4, 2020



Kenneth D. Bell
United States District Judge



¹ Only Messrs. Liantonio and Shofner are rejoining the litigation at this time.