

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

**MATTHEW CARR, TERRY CARR,  
DAVID TUMBLIN AND GREGORY  
BROWN, on behalf of themselves and  
others similarly situated,  
Plaintiffs,**

**CIVIL ACTION**

v.

**NO. 15-6391**

**FLOWERS FOODS, INC. FLOWERS  
BAKING CO. OF OXFORD, INC.,  
Defendants.**

**FILED**  
**MAY - 7 2019**  
By KATE BARKMAN, Clerk  
Dep. Clerk

**ORDER**

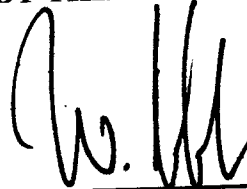
**AND NOW**, this 7th day of May, 2019, upon consideration of Defendants' Motion to Decertify the FLSA Collective Action (ECF No. 263), Plaintiffs' Response in Opposition thereto (ECF No. 267), and Defendants' Reply in further support thereof (ECF No. 275), **IT IS HEREBY ORDERED** that Defendants' Motion is **DENIED**.

Further, upon consideration of Plaintiffs' Motion for Class Certification (ECF No. 262), Defendants' Response in Opposition thereto (ECF No. 268), and Plaintiffs' Reply in further support thereof (ECF No. 247), **IT IS FURTHER ORDERED** that Plaintiffs' Motion is **GRANTED** with respect to Fed. R. Civ. P. 23(b)(3) and **DENIED** with respect to Fed. R. Civ. P. 23(b)(2). Accordingly, the following classes are certified pursuant to Fed. R. Civ. P. 23(b)(3):

1. All persons who, at any time from December 1, 2012 continuing through entry of judgment in this case, worked as distributors for Flowers Foods, Inc. and/or Flowers Baking Company of Oxford, Inc., in the Commonwealth of Pennsylvania and were classified as independent contractors under their distribution agreements.
2. All persons who, at any time from December 12, 2012, continuing through entry of judgment in this case, worked as distributors for Flowers Foods, Inc. and/or Flowers Baking Company of Oxford, Inc., in the State of Maryland and were classified as independent contractors under their distribution agreements.

3. All persons who, at any time from March 24, 2014, continuing through entry of judgment in this case, worked as Distributors for Flowers Foods, Inc. and/or Flowers Baking Co. of Oxford, Inc., in the State of New Jersey and were classified as independent contractors under their distribution agreements.

**BY THE COURT:**



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**WENDY BEETLESTONE, J.**