

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

CYNTHIA FUERTE and TERRY DIMERY,)
 individually, and on behalf of other similarly-)
 situated individuals,)
)
 Plaintiffs,)
)
 v.)
)
 CONVERGYS CORPORATION, and)
 CONVERGYS CUSTOMER)
 MANAGEMENT GROUP, INC., jointly and)
 severally, as)
)
 Defendants.)
 _____)

CA No. 4:17-cv-00701-RBH

ORDER ON DEFENDANTS’ MOTION TO DISMISS

This matter comes before the Court on the parties’ Joint Motion for Order Resolving Defendants’ Motion to Dismiss. (ECF No. 26.) Having fully considered the parties Joint Motion and finding it well-founded and in the interests of judicial economy it is hereby ordered:

1. Having been withdrawn by Defendants, and with their consent, Defendants’ Motion to Dismiss (ECF No. 24) is dismissed with prejudice.
2. Defendants’ Motion to Hold in Abeyance (ECF No. 25) is hereby dismissed as moot in light of this Order.
3. Plaintiff Fuerte is dismissed from this case, with prejudice.
4. Plaintiffs’ counsel shall have up to seven (7) days from the date this Order is filed to file a declaration from Charlotte Jones, who joined this case as a Plaintiff on April 27, 2017 (ECF No. 23), in support of Plaintiffs’ Motion for Conditional Class Certification (ECF No. 10).

5. Defendants shall respond to Plaintiffs' Motion for Conditional Class Certification within 45 days from the date Charlotte Jones' declaration is filed or Plaintiffs' deadline to do so expires.

6. Defendants' answer to the Complaint shall be due within seven (7) days of the date this Order is filed.

IT IS SO ORDERED

s/R. Bryan Harwell
R. Bryan Harwell
UNITED STATES DISTRICT JUDGE

Dated: May 30, 2017
Florence, South Carolina