

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TENNESSEE
AT KNOXVILLE

JESSE PIERCE and MICHAEL PIERCE,)	
on behalf of themselves and all others)	
similarly situated,)	
)	
Plaintiff,)	
)	
v.)	No. 3:13-CV-641
)	(MATTICE/SHIRLEY)
)	
WYNDHAM VACATION RESORTS, INC., and)	
WYNDHAM VACATION OWNERSHIP, INC.,)	
)	
Defendants.)	

MEMORANDUM AND ORDER

This case is before the undersigned pursuant to 28 U.S.C. § 636, the Rules of this Court, and Standing Order 13-02.

Now before the Court is Plaintiffs' Motion to Modify and Supplement the Court's January 31, 2014 Order with Tolling Language [Doc. 40]. The Court finds that the time for responding in opposition to this motion has expired. See E.D. Tenn. L.R. 7.1. The Defendants have not responded in opposition, and they have previously indicated their consent to the Court including the tolling language proposed by the Plaintiffs. The Court has reviewed the language and finds that it is reasonable.

Accordingly, the Court finds that the Plaintiffs' Motion to Modify and Supplement the Court's January 31, 2014 Order with Tolling Language [**Doc. 40**] is well-taken, and it is **GRANTED**. The Court's previous Memorandum and Order [**Doc. 38**] is **MODIFIED**, to incorporate verbatim the following: Based upon the agreement of the parties, the statute of

limitations for FLSA claims asserted by any putative class member, who has not filed a Plaintiff Consent Form with the Court, is tolled from January 31, 2014, to March 17, 2014.

IT IS SO ORDERED.

ENTER:

s/ C. Clifford Shirley, Jr.
United States Magistrate Judge