

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

PAUL FRITZ, individually and on behalf
of all others similarly situated,

Plaintiffs,

Case No. 3:09-cv-000086

vs.

DHL EXPRESS (USA), INC.,

W&A CARGO MANAGEMENT, INC.
d/b/a W.H.I.I.,

W.H.I.I., LLC,

AARON WHITE,

NATHAN WHITE,

and

CHRIS HOLZKAMPER

Defendants.

PLAINTIFF'S MOTION AND PROPOSED ORDER TO REASSIGN CASE

The Plaintiff, by and through his counsel of record, submits this Motion to Reassign this Case to District Judge Crabb.

1. This is a Fair Labor Standards Act matter concerning the exempt classification of drivers who delivered DHL packages in Wisconsin. A similar matter, also involving DHL Express (USA), Inc. and concerning the overtime classification of delivery drivers, was filed with this court on February 23, 2009, and

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has been assigned to District Judge Crabb. Dorman v. DHL Express (USA), Inc., et al., 3:09-cv-00099.

2. The Plaintiffs in Dorman v. DHL Express (USA), Inc., et al. are also represented by Plaintiff's counsel in this matter. Further, DHL Express (USA), Inc. is represented by the same counsel in both matters.

3. Many of the legal and factual issues in these two matters are similar, including but not limited to, whether any FLSA exemption may apply to these drivers.

4. Because of these similarities, the Plaintiff believes that there are advantages in economy and consistency of rulings in proceeding before District Judge Crabb in both matters.

5. The Plaintiff hereby moves the court to reassign this matter to District Judge Crabb.

Dated this 11th day of September 2009.

HAWKS QUINDEL, S.C.

By: /s/ William Parsons

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PROPOSED ORDER

IT IS ORDERED THAT the case shall be reassigned to District Judge Crabb.

Entered this 14th day of September, 2009

BY THE COURT:

Barbara B. Crabb

Barbara B. Crabb
District Judge