

In the United States Court of Federal Claims

No. 90-162C
and Consolidated Cases

(Filed January 4, 2010)

* * * * *
STEPHEN ADAMS, et al.,
Plaintiffs,
v.
THE UNITED STATES,
Defendant.
* * * * *

ORDER

On December 15, 2009, pursuant to the court’s order of October 21, 2009, the parties filed a Joint Status Report in the subject matter. The parties’ status report gives an overview of outstanding claims and settlement negotiations that have occurred and/or are underway in the subject matter. Most notably, the parties have been negotiating a large settlement concerning plaintiffs employed at many agencies, including the plaintiffs employed by the Office of Inspector General (OIG) of the Department of Health and Human Services and the OIG of the Department of Housing and Urban Development. Recently, the parties have been exchanging drafts of a proposed settlement agreement.

The parties also report that the FLSA exemption status of certain employees classified as management employees in GM-13 positions remains in dispute, and continues to be a subject of discussion between the parties. No recent developments regarding this dispute are noted in the parties’ report. As to the dismissal of claims and/or plaintiffs within these consolidated cases, the parties continue to disagree as to whether the dismissal of claims in some of the earliest

filed cases in this litigation is appropriate.¹ In plaintiffs' view, unresolved claims for attorneys' fees and expenses, as well as the possibility that plaintiffs may have worked at multiple federal agencies, prevent dismissal of any pending claims at this time. Defendant, on the other hand, argues that all plaintiffs who lack "identifiable unadjudicated claims" should be dismissed. In conclusion, the parties request that their next status report be filed on or before February 15, 2010.

Accordingly, it is hereby **ORDERED** that the parties shall **FILE** a **Joint Status Report**, on or before **February 16, 2010**, to apprise the court of the status of the resolution of the claims in the subject matter.²

/s/Lynn J. Bush

LYNN J. BUSH

Judge

^{1/} The court notes that many of the earliest filed cases in this litigation were filed by plaintiffs who all worked at a single agency, and who all shared a single occupational code. The overtime pay claims in many of these cases appear to have been resolved in their entirety.

^{2/} February 15, 2010 is a federal holiday.