

**IN THE UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF ARKANSAS
EL DORADO DIVISION**

ROSALINO PEREZ-BENITES,
LUIS ALBERTO ASECIO-VASQUEZ, and
PASCUAL NORIEGA-NARVAEZ,
on behalf of themselves and
all others similarly situated, PLAINTIFFS

v. No. 1:07-CV-1048

CANDY BRAND, LLC,
ARKANSAS TOMATO SHIPPERS, LLC,
CHARLES SEARCY, RANDY CLANTON, and
BROOKS LISENBAY, DEFENDANTS

O R D E R

The Court has reviewed this file and concludes that the parties shall submit briefs to the Court on the following issues:

(1) whether Defendants are entitled to any credit toward damages related to violations of the Fair Labor Standards Act for housing provided to H-2A workers; (2) whether Defendants are liable for additional expenses not presented in previously submitted motions for summary judgment; and (3) whether Plaintiffs' attorneys are entitled to fees and costs pursuant to the Fair Labor Standards Act and/or Arkansas Code §16-22-308, and if so, the proposed amount of fees and costs. Briefs shall be due within thirty (30) days from the date of this Order. Parties will have the opportunity to submit replies within fifteen (15) days.

Plaintiffs' counsel shall also submit to the Court a proposal outlining the method by which damages will be calculated and are to be paid to members of the three certified classes in this case.

Defendant will have an opportunity to reply. Plaintiff's proposal shall be submitted to the Court within sixty (60) days.

This case is set for jury trial during the week of January 23, 2012.

IT IS SO ORDERED this 23rd day of June 2011.

/s/ Robert T. Dawson
Robert T. Dawson
United States District Judge