

**UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
TAMPA DIVISION**

**CHRISTOPHER ROBERTS, KLAUS
MEYER, ALEXIS SUTTON, ROB
MCGAHEN, ELTON MORDIS and
SHENIKA SHEPPARD, individually
on behalf of themselves
and all similarly situated,**

Plaintiffs,

v.

Case No: 8:23-cv-2447-WFJ-CPT

PUBLIX SUPER MARKETS, INC.,

Defendant.

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ORDER

The Court grants the Joint Motion regarding Case Management Reports and Opt-In Plaintiffs (Dkt. 163) as follows:

- 1) No later than February 14, 2025 (the “dismissal date”), the Opt-In Plaintiffs must advise the Court whether they wish to remain before this Court, be dismissed, or elect to proceed with their claims in another District Court.
- 2) Each Opt-In Plaintiff will have sixty (60) days from his or her dismissal date to file an individual suit under the FLSA, during which time the statute of limitations period for the individual (non-collective action)

claims asserted in the original *Roberts* action are tolled. If an Opt-In Plaintiff does not refile his or her individual case within sixty (60) days of dismissal, then that Opt-In Plaintiff would not later get the benefit of the sixty (60) day tolling if refiled at a later date.

- 3) A joint Case Management Report, or other appropriate pleading or motion, must be filed within fourteen (14) days in this case for Plaintiff Christopher Roberts, and within fourteen (14) days for the other Named Plaintiffs—CAITLIN THROCKMORTON, Case No. 8:25-cv-110-WFJ-CPT; BRANDY MOORE, Case No. 8:25-cv-111-WFT-CPT; CARTER HOBBS, Case No. 8:25-cv-112-WFJ-CPT; and JESSICA SCHAFER, Case No. 8:25-cv-113-WFJ-CPT. An order will be entered in each of these new cases.

DONE and **ORDERED** in Tampa, Florida on January 15, 2025.

s/William F. Jung
WILLIAM F. JUNG
UNITED STATES DISTRICT JUDGE

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Counsel of record