

UNITED STATES DISTRICT COURT

DISTRICT OF KANSAS

ADELINA GARCIA, et al.,

JUDGMENT IN A CIVIL CASE

Plaintiffs,

v.

TYSON FOODS, INC., et al.,

Case Number: 06-2198-JTM

Defendants.

This action came on for trial before a jury, Honorable J. Thomas Marten, District Judge, presiding. The issues tried related solely to defendants' Finney County, Kansas, facility, and did not involve the defendants' Emporia, Kansas facility, which the court ordered be tried in a different trial. The Finney County facility issues having been duly tried and the jury having duly rendered its verdict:

IT IS ORDERED AND ADJUDGED pursuant to the verdict rendered by the jury that Tyson owes \$166,345.00 for FLSA pre- and post-shift activities.

IT IS FURTHER ORDERED AND ADJUDGED pursuant to the verdict rendered by the jury that Tyson owes \$336,666.00 for KWPA pre- and post-shift activities.

IT IS FURTHER ORDERED AND ADJUDGED that plaintiffs recover from defendants in these amounts, with interest thereon at the legal rate.

IT IS FURTHER ORDERED AND ADJUDGED in accordance with the Memorandum and Order filed January 31, 2011, that plaintiffs' motions for partial summary judgment (Dkt. Nos. 880 and 900) are denied; defendants' motion for summary judgment (Dkt. No. 881) on state law claims and for partial summary judgment on plaintiffs' FLSA claims is granted in part and denied in part.

APPROVED:

s/ J. Thomas Marten
J.THOMAS MARTEN, JUDGE

March 17, 2011

Date

TIMOTHY M. O'BRIEN, Clerk of Court

By s/S. Smith
Deputy Clerk