

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JENNY WILSON, on behalf of herself and others)
similarly situated,)
)
Plaintiffs,)
)
v.) Civil Action No. 3:07-cv-00069
)
GUARDIAN ANGEL NURSING, INC., a) Judge Thomas A. Wiseman, Jr.
Tennessee corporation; GUARDIAN ANGEL)
NURSING, INC., a Mississippi corporation;)
ON-CALL STAFFING OF TENNESSEE, INC.;)
ON-CALL STAFFING, INC.; and)
E.L. "Lee" GARNER, JR.,)
Defendants.)

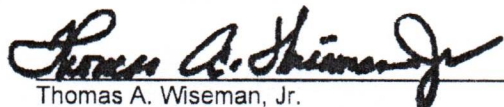
FINAL JUDGMENT

There remaining no further unresolved issues in this matter, Plaintiffs' motion for entry of final judgment (Doc. No. 538) is hereby **GRANTED** as follows:

Judgment is entered in favor of the individual named Plaintiffs and opt-ins in the total amount of \$3,196,812.74, representing the stipulated amount of overtime back pay at issue (\$1,598,406.37) distributable among the Plaintiffs consistently with the parties' stipulation (Doc. No. 534), attached hereto and incorporated herein by reference, plus an equal amount of liquidated damages in accordance with 29 U.S.C. § 216(b). Plaintiffs will further be entitled to recover a reasonable attorneys' fee upon the filing of a properly supported motion, as well as the costs of the action, also pursuant to 29 U.S.C. § 216(b).

It is so **ORDERED**.

This is a final judgment for purposes of Fed. R. Civ. P. 58, from which an appeal may lie.


Thomas A. Wiseman, Jr.
Senior U.S. District Judge

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

JENNY WILSON, on behalf of herself and
all others similarly situated,)

Plaintiffs,)

vs.)

GUARDIAN ANGEL NURSING, INC., a)
Tennessee corporation; GUARDIAN)
ANGEL NURSING, INC., a Mississippi)
corporation; ON-CALL STAFFING OF)
TENNESSEE, INC.; and ON-CALL)
STAFFING, INC., E. L. GARNER, JR.; and)
E. L. GARNER, III,)

Defendants.)

No: 3:07-0069

Judge: Wiseman/Bryant

STIPULATION

Although Defendants contend that Plaintiff and all Opt-ins were at all relevant times independent contractors and not “employees” within the definition of the FLSA, and thus no overtime is owed, the parties hereby stipulate that the calculation for the total amount of overtime back pay at issue for Plaintiff and all Opt-ins who worked as a licensed practical nurse (LPN) within a two-year statute of limitations period is \$1,170,110.62; and within a three-year statute of limitations period is \$1,598,406.37. The parties further stipulate that the attached lists (Exhibits A and B) accurately set forth the calculated amount of overtime back pay at issue for Plaintiff and each Opt-in, derived by multiplying the number of overtime hours worked by each Plaintiff and the Opt-ins by the applicable half-time overtime premium. By entering into this Stipulation Defendants do not waive any of their defenses, nor do they agree or stipulate that this case is appropriate for treatment as a collective or class action, nor that Defendants are liable to Plaintiff or the Opt-ins in any amount whatsoever.

Respectfully Submitted,

s / R. Scott Jackson, Jr.
R. Scott Jackson, Jr., #13839
Attorney at Law
144 Second Avenue, North
Suite 450
Nashville, TN 37201
(615) 313-8188

Attorney for Plaintiffs

s / James L. Holt, Jr.
James L. Holt, Jr.
Stephen L. Shields
Jackson, Shields, Yeiser, Holt & Speakman
262 German Oak Drive
Cordova, TN 38018

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically with the Clerk of Court to be served by operation of the Court's electronic filing system on James L. Holt, Jr., and Stephen L. Shields, Jackson, Shields, Yeiser, Holt & Speakman, 262 German Oak Drive, Cordova, TN 38018 on the 22nd day of September, 2009.

s / R. Scott Jackson, Jr.
R. Scott Jackson, Jr.

Based on Three-Year Limitations Period

Plaintiff

Back Pay Amount

Total Amount

1,598,406.37

1	<u>Alexander, Karen</u>	448.55
2	<u>Alexander, Sonja</u>	3,770.35
3	<u>Allen, Amy</u>	299.98
4	<u>Allsbrooks, Rosselie</u>	12,365.02
5	<u>Anderson, Alondus</u>	7,955.96
6	<u>Anglin, Tracy</u>	1,849.66
7	<u>Artis, Lachell</u>	13,362.83
8	<u>Ashley, Crystal</u>	1,349.98
9	<u>Bailey, Donna</u>	2,350.62
10	<u>Ball, Peggy</u>	1,537.82
11	<u>Bane, Debbie Warriner</u>	1,407.47
12	<u>Barnes, Michael</u>	8,596.52
13	<u>Barnett, Susie</u>	3,721.96
14	<u>Barry, Lucci</u>	3,479.97
15	<u>Bauer, Joseph</u>	15,555.11
16	<u>Beard, Carlene</u>	9,659.16
17	<u>Beasley, Michella</u>	43,451.92
18	<u>Bennett, Mary Ellen</u>	167.52
19	<u>Bilbrey-Grace, Carla</u>	1,384.75
20	<u>Biles, Mandy</u>	1,286.12
21	<u>Blair, Laura</u>	1,546.64
22	<u>Bond, Kimberly</u>	1,889.85
23	<u>Boshers, Sharon Stuart</u>	80.00
24	<u>Bourgeois, Susan</u>	2,782.16

25	<u>Bowlin (Molina), Jennifer</u>	2,130.69
26	<u>Bowman, Rusty</u>	4,113.96
27	<u>Boyer, Latisha</u>	139.99
28	<u>Boynton, Sherry</u>	10,943.07
29	<u>Bradford, Erin</u>	1,366.91
30	<u>Brady, Lecia</u>	2,839.41
31	<u>Branham, DeAnn</u>	10,178.21
32	<u>Brewer, Josie</u>	2,546.00
33	<u>Briley/Flynn, Donna K.</u>	1,173.46
34	<u>Brinson, Shirley</u>	789.50
35	<u>Brooks, Misty</u>	896.48
36	<u>Brown, Ginger</u>	3,688.28
37	<u>Brown, Michelle</u>	2,968.60
38	<u>Buck, Cecilia</u>	1,399.44
39	<u>Bunch, Tiffany</u>	864.93
40	<u>Burbridge, Fredda</u>	12,624.31
41	<u>Butler, Donna</u>	396.25
42	<u>Butler, Kristhy Y.</u>	732.32
43	<u>Butler, Mary Jo</u>	69.00
44	<u>Caldwell, Teresa</u>	2,676.78
45	<u>Cannon, Karen</u>	132.17
46	<u>Cantrell, Kelly</u>	1,806.47
47	<u>Cantrell, Sherry</u>	1,380.44
48	<u>Carr, Mary Sue</u>	1,963.23
49	<u>Carter, Teresa</u>	4,255.52
50	<u>Caruthers, Lakisha</u>	2,727.87
51	<u>Cathy, Linda</u>	1,101.64
52	<u>Cavitt, Sylvia</u>	11,263.37

53	<u>Chapman, Barbara</u>	15,414.79
54	<u>Clark, Tomonica</u>	76.00
55	<u>Clemons, Tamatha</u>	2,970.13
56	<u>Clutter, Kandy S.</u>	12,988.19
57	<u>Coats, Peggy</u>	4,807.54
58	<u>Collier, Derek</u>	652.24
59	<u>Collier, Sandra</u>	700.08
60	<u>Collins, Glenda</u>	7,054.39
61	<u>Combs, Hope</u>	119.33
62	<u>Cope, Rhonda</u>	14,831.69
63	<u>Cripps, Marianne</u>	4,060.89
64	<u>Cross, Teresa</u>	2,920.75
65	<u>Crowder, Donja</u>	14,013.39
66	<u>Crowder, Rachel</u>	11,708.62
67	<u>Crowell, Jana</u>	308.91
68	<u>Curtis, Penny</u>	162.75
69	<u>Dawson, Brandy</u>	1,908.64
70	<u>Delph, Shauna</u>	2,717.25
71	<u>Demotte, Dawn</u>	7,056.03
72	<u>Diamond, Kristy</u>	2,133.88
73	<u>Dickson, Matthew</u>	1,435.58
74	<u>Dishman, Charman</u>	730.00
75	<u>Douglas, Doris</u>	1,814.46
76	<u>Duffield, Brenda</u>	2,186.81
77	<u>Dykes, Vickie</u>	1,352.20
78	<u>Dyle, Brenda</u>	21,387.77
79	<u>Eason, Joan</u>	2,829.00
80	<u>Edwards, Katherine (Katie)</u>	636.69

81	<u>Eubanks, Wanda</u>	8,306.40
82	<u>Evans, Anna</u>	658.05
83	<u>Ewing, Rita</u>	1,909.78
84	<u>Farmer, Charles</u>	1,529.83
85	<u>Figures, Vicky</u>	8,200.28
86	<u>Fitts, Diane</u>	18,697.13
87	<u>Flemming, Lisa Wade</u>	2,006.26
88	<u>Fletcher, Jearline</u>	2,917.74
89	<u>Foster, Kelly</u>	503.47
90	<u>Fowler, Leilani</u>	8,207.50
91	<u>Franklin, Theresa</u>	16,599.60
92	<u>Freed, Donna</u>	6,783.15
93	<u>Fuller-Valentine, Reba</u>	319.59
94	<u>Fulton, Patricia</u>	139.15
95	<u>Fultz, Edith</u>	2,314.54
96	<u>Futral, Shannon</u>	2,262.06
97	<u>Gallaway, Teresa</u>	11,020.77
98	<u>Gardner, Allison</u>	14,275.99
99	<u>Garrett, Anna</u>	110.86
100	<u>Garrett, Bridgett</u>	1,822.08
101	<u>Gilbert, Alinda</u>	8,207.50
102	<u>Glenn, Gerta</u>	961.63
103	<u>Goad, Donna</u>	774.28
104	<u>Goliday, Aretha</u>	27,980.65
105	<u>Graham-Greer, Jennifer</u>	52,274.34
106	<u>Gray, Alice Garner</u>	7,400.88
107	<u>Green, Cheryl</u>	1,695.81
108	<u>Hale, Gary</u>	8,592.44

109	<u>Hall, Miriam</u>	926.00
110	<u>Haskins, Teri</u>	10,206.63
111	<u>Hauri, Kim</u>	131.29
112	<u>Hayes, Jerene</u>	20,717.62
113	<u>Haynes, Easter</u>	186.00
114	<u>Head, Jennifer</u>	5,087.43
115	<u>Heathington, Jacqueline</u>	5,171.29
116	<u>Hefner, Lena</u>	1,028.14
117	<u>Henley, Linda</u>	483.15
118	<u>Hester, Ronda</u>	12,603.29
119	<u>Hill, Pamela</u>	18,899.89
120	<u>Holder, Sherrell (Sherry)</u>	15,416.94
121	<u>Hord, Tracy</u>	1,755.24
122	<u>Hudgins, Jonathon</u>	949.62
123	<u>Hudson, Moniqua</u>	57,696.91
124	<u>Hudson, Tammy</u>	4,151.17
125	<u>Hughes, Jocelyn</u>	3,140.07
126	<u>Hughes, Lisa</u>	4,825.92
127	<u>Hunley, Patricia</u>	484.31
128	<u>Hunt, Deborah</u>	670.81
129	<u>Hunter, Maymie</u>	4,683.06
130	<u>Hurt, Andrea</u>	368.92
131	<u>Ingram, Deyae</u>	2,206.95
132	<u>Jackson, Grace</u>	1,680.63
133	<u>Jaco, Mitzi</u>	705.77
134	<u>James, Maria</u>	11,600.24
135	<u>Jeffrey, Norma</u>	1,003.20
136	<u>Johnson, Carolyn</u>	3,678.86

137	<u>Johnson, Lonzola</u>	2,432.82
138	<u>Jones, Amanda</u>	2,572.21
139	<u>Jones, Rhonda</u>	125.58
140	<u>Kelley, Patricia</u>	958.84
141	<u>Kemp, Paula</u>	2,222.44
142	<u>Kendall, Iris</u>	54,802.27
143	<u>Kidder, Alice Fay</u>	31,034.67
144	<u>Kirby, Renee</u>	3,445.41
145	<u>Kolb-Pennington, Jessica</u>	6,071.79
146	<u>Lacerte, Christie</u>	3,029.96
147	<u>Lacy, Lisa</u>	47.47
148	<u>Ladd, Sammie</u>	1,970.14
149	<u>Landguth, Lorianne</u>	3,788.80
150	<u>Largin, Sinclair</u>	1,832.79
151	<u>Lattimore, Jacquelyn</u>	6,959.78
152	<u>Lawson, Samantha</u>	2,005.96
153	<u>Laws-Williams, Paula</u>	4,892.70
154	<u>Ledbetter, Arthur</u>	7,878.66
155	<u>Leland, Tamu</u>	929.50
156	<u>LeMaster, Terri</u>	1,037.30
157	<u>Lewis, Samelba</u>	7,979.76
158	<u>Lewis, Vera</u>	210.00
159	<u>Liles, Lisa</u>	4.25
160	<u>Lindsay, Tamelia</u>	3,027.38
161	<u>Lloyd, Ann</u>	11,012.28
162	<u>Lott, Lubertha</u>	112.35
163	<u>Lowery, Jenny</u>	18,543.69
164	<u>Lynch, Lisa</u>	221.53

165	<u>Maxwell, Lucinda</u>	2,281.05
166	<u>Mayberry, Cynthia</u>	695.00
167	<u>McCainey, Angela</u>	29,480.57
168	<u>McCammon, Crystal Perry</u>	123.96
169	<u>McConnell, Dawn</u>	126.25
170	<u>McCreary, Michelle</u>	2,994.95
171	<u>McGee-LaBarre, Linda</u>	19,203.71
172	<u>McGlothlin, Michael</u>	5,167.35
173	<u>McLeman, Kim</u>	146.29
174	<u>Meador, Melissa</u>	1,693.46
175	<u>Minniffee, Rita</u>	3,330.08
176	<u>Miracle, Tonya</u>	687.17
177	<u>Mitchell, Judy</u>	319.47
178	<u>Mofield, Lisa</u>	40.00
179	<u>Moore, Jeffrey Alan</u>	95.98
180	<u>Moore, Katrina</u>	5,304.13
181	<u>Moran, Kevin</u>	4,022.24
182	<u>Mull, Bernice</u>	11,921.40
183	<u>Mullins, Jodi</u>	316.01
184	<u>Napoleon, Josephine</u>	551.32
185	<u>Necessary, Rebecca</u>	68.00
186	<u>Neely, Amanda</u>	818.15
187	<u>Newsome, Larry</u>	7,155.30
188	<u>Nixon, Cynthia</u>	7,117.16
189	<u>North, Lovell</u>	5,971.08
190	<u>Novetri, Cindy Mae</u>	6,598.54
191	<u>Offer, Carolyn</u>	2,700.57
192	<u>O'Hara-Willis, Judy</u>	20,900.42

193	<u>Orman, Jim</u>	7,255.69
194	<u>Ortiz, Katheryn Renee</u>	1,772.03
195	<u>Ortkiese, Terri</u>	11,295.64
196	<u>Overby, Myra</u>	1,417.35
197	<u>Pardue, Tammy</u>	828.94
198	<u>Parmer, James</u>	1,906.24
199	<u>Patrick, Gary</u>	5,296.08
200	<u>Paulus, Tammy</u>	598.89
201	<u>Pendergrass, Kimberly Jones</u>	3,546.93
202	<u>Perry, Anna</u>	2,174.78
203	<u>Person, Deborah</u>	2,779.38
204	<u>Phillips, Anita</u>	4,022.52
205	<u>Phillips, Cassandra</u>	4,532.73
206	<u>Pinkney, Gwendolyn</u>	671.83
207	<u>Pittman, Regina</u>	17,999.00
208	<u>Powers, Alysia</u>	160.00
209	<u>Radcliffe, Rhonda</u>	5,767.27
210	<u>Raleigh-Chandler, Deborah</u>	15,512.34
211	<u>Ramey, Diane Carroll</u>	2,727.21
212	<u>Ramsey, Shannon</u>	6,757.24
213	<u>Rawson, Dorothy</u>	12,928.53
214	<u>Ray, Sandy</u>	84.90
215	<u>Redmon, Cassie</u>	3,494.16
216	<u>Riley, Lesa</u>	1,776.37
217	<u>Robertson, Melissa</u>	876.33
218	<u>Robinson, Drenka</u>	6,000.00
219	<u>Rogers, Elda</u>	3,256.63
220	<u>Russell, Judy</u>	3,230.63

221	<u>Sanders, Jerri Dyne</u>	2,836.37
222	<u>Satterfield, Trena</u>	2,266.93
223	<u>Schultz, Luella</u>	3,929.81
224	<u>Sells, Veronica</u>	2,153.83
225	<u>Shanks, Rhonda</u>	3,238.49
226	<u>Sherrill, Erin</u>	221.30
227	<u>Shields, Danita</u>	616.27
228	<u>Simmons, Delta</u>	5,887.29
229	<u>Sims, Bryan</u>	1,642.25
230	<u>Smith, Debbie</u>	1,746.67
231	<u>Smith, Gina</u>	2,270.84
232	<u>Smith, Joyce</u>	43,172.32
233	<u>Smith, Quintella</u>	1,181.68
234	<u>Smith, Sandra A.</u>	1,087.99
235	<u>Smith, Shirley</u>	1,966.55
236	<u>Smith, Tamara</u>	1,755.19
237	<u>Snodgrass, Rochelle</u>	13,553.86
238	<u>Snook, Teresa</u>	23,698.46
239	<u>Somerville, Eric</u>	2,973.82
240	<u>Sowell, Tamara</u>	167.89
241	<u>Spence, Sheila</u>	4,181.40
242	<u>Sprinkles, Kimberly</u>	2,677.73
243	<u>Spurlock, Linda</u>	3,878.45
244	<u>Steed, Leslie</u>	1,125.79
245	<u>Stuart, Francella</u>	1,213.45
246	<u>Stockton, Darlene</u>	1,285.37
247	<u>Storie, Tina</u>	1,053.23
248	<u>Suter, Annette</u>	3,753.19

249	<u>Swift, Lori</u>	1,740.86
250	<u>Sykes, Cassandra</u>	4,558.50
251	<u>Tate, Nekirsten</u>	4,176.67
252	<u>Taylor, Chasity</u>	1,536.87
253	<u>Taylor, Clayta</u>	10,742.33
254	<u>Thomas, Terryl</u>	13,923.07
255	<u>Thomason, Mary Johna</u>	202.17
256	<u>Thompson, Martha</u>	45.93
257	<u>Thweatt, Deborah</u>	20,025.16
258	<u>Tolbert, Wanda</u>	1,303.18
259	<u>Toler, Jennie</u>	1,258.56
260	<u>Tomlinson, Mary Lou</u>	4,176.94
261	<u>Toomer, Tessa</u>	30,133.96
262	<u>Townsend, Barbara</u>	640.60
263	<u>Trent, Rebecca</u>	1,552.98
264	<u>Tuck, Leighann</u>	1,020.50
265	<u>Tucker, Synthia</u>	7,706.26
266	<u>Vantrease, Katherine</u>	9,651.69
267	<u>Vaughn, Elsie Faye</u>	3,863.37
268	<u>Vaughn, Lisa</u>	30,591.80
269	<u>Ward, Linda</u>	1,683.65
270	<u>Waters, Dean</u>	2,052.34
271	<u>Watkiss, Lisa</u>	6,197.45
272	<u>Webb, Youlanda</u>	17,072.82
273	<u>Wellington, Nikiti</u>	3,291.70
274	<u>Wethington, Laurie</u>	6,522.49
275	<u>White, Flossie</u>	5,427.72
276	<u>White, Shundale</u>	6,109.28

277	<u>Williams, Wanda</u>	1,220.47
278	<u>Williamson, Dina</u>	4,625.06
279	<u>Wilson, Anitra</u>	9,496.42
280	<u>Wilson, Francine</u>	2,590.12
281	<u>Wilson, Jenny</u>	2,735.64
282	<u>Wilson, Peggy</u>	5,233.52
283	<u>Wimley, Rita</u>	5,073.48
284	<u>York, Betty</u>	1,753.49
285	<u>Young, Pamela</u>	434.79
286	<u>Zhislin, Daphne</u>	442.37
287	<u>Zwingle, Julie</u>	11,028.83