

# In the United States Court of Federal Claims

No. 24-1272

Filed: December 10, 2024

**MARQUETTA COFFER, et. al.,**

*Plaintiffs,*

**v.**

**THE UNITED STATES,**

*Defendant.*

## **ORDER**

The parties jointly moved for the issuance of a “Notice of Collective Action” and to stay litigation pending the notice to potential plaintiffs. (ECF No. 10). The Motion is granted-in-part and denied-in-part.

As an initial matter, the Court accepts the parties’ proposed definition of potential plaintiffs. Therefore, this action is limited to:

Individuals, who at any time within three-years of joining this action, encumbered the IM-0089 or IC-0089 Emergency Management Specialist, Program Delivery Manager (“PDMG”) position within the Department of Homeland Security, Federal Emergency Management Agency (“FEMA”), and were designated as FLSA exempt while encumbering the IM-0089 or IC-0089 position, and were not paid FLSA overtime.

(ECF No. 10 at 2). The parties agree that their proposed Notice and Consent Form “(1) informs potential plaintiffs that they may be deposed or required to testify, (2) sets out the arrangements for attorney fees and costs, and (3) notifies potential plaintiffs that they are free to file their own lawsuit.” (*Id.* at 2). Thus, the Court accepts the proposed Notice and Consent Form. (*Id.* Ex. A, B). Those documents are appended to this Order.

Further, the Court hereby **ORDERS** as follows:

1. The parties shall follow their agreed-upon procedure, (ECF No. 10 at 2–3), to distribute the attached Notice and Consent Form.
2. The United States **SHALL** respond to Plaintiffs’ Complaint **FORTHWITH**.
3. The request for a complete stay is **DENIED**. However, the Court will not enter an active litigation schedule at this time.

4. The Joint Preliminary Status Report (“JPSR”) deadline is **STAYED**.
5. In lieu of a JPSR, the parties **SHALL** file a detailed Joint Status Report on **February 10, 2025**, and **every sixty (60) days thereafter**.
6. A telephonic status conference is scheduled for **April 17, 2025 at 11:00 a.m.**

**IT IS SO ORDERED.**

s/ David A. Tapp  
DAVID A. TAPP, Judge