

**UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF GEORGIA**

ATLANTA DIVISION

ESCOLASTICO DE LEON-GRANADOS,)	
ISAIAS PROFETA DE LEON-GRANADOS,)	
and ARMENIO PABLO-CALMO)	
on behalf of themselves and all)	
others similarly situated,)	
)	Case 1:05-cv-1473-CC
Plaintiffs,)	
)	
v.)	
)	
ELLER AND SONS TREES, INC.,)	
and JERRY ELLER,)	
)	
Defendants.)	
)	

FINAL JUDGMENT

This matter is before the Court on the Plaintiffs’ Unopposed Motion for Entry of Final Judgment. IT IS HEREBY ORDERED:

1. With respect to the claims brought pursuant to the Fair Labor Standards Act (FLSA) by the three named Plaintiffs and the twenty-three (23) additional opt-in Plaintiffs, Final Judgment is hereby entered in favor of the Plaintiffs and opt-in Plaintiffs and against Eller and Sons Trees, Inc. and Jerry Albert Eller, jointly and severally, in the amount of \$57,001.28. The total Final Judgment amount of \$57,001.28 with respect to the FLSA claims

represents individual damages for each named and opt-in Plaintiff in the following amounts:

1.	Escolastico De Leon Granados	\$3,064.92
2.	Isaias Profeta De Leon Granados	\$3,127.30
3.	Armenio Pablo Calmo	\$4,187.68
4.	Juan Aguilar Vasquez	\$1,534.32
5.	Protasio Burgos Maldonado	\$488.30
6.	Marvin Ballardo Castillo Diaz	\$3,083.06
7.	Osmar Osiel De Leon Lucas	\$1,608.40
8.	Alberto Diaz Diaz	\$4,755.44
9.	Nelson Ignacio Hernandez Lopez	\$1,548.70
10.	Alejandro Luis Morales	\$1,600.00
11.	Santos Mendez Gomez	\$3,042.30
12.	Felix Morales Antonio	\$816.60
13.	Ruben Perez Lucas	\$4,611.96
14.	Clementino Ramirez Montufar	\$1,581.90
15.	Nelson Esteban Ramirez Perez	\$1,581.90
16.	Aureliano Rivas Lucas	\$1,636.48
17.	Abner Misael Rivera Montufar	\$1,589.28
18.	Sergio Analla Roldan	\$1,652.36
19.	Antonio Pablo Roldan Cobon	\$1,455.04
20.	Jose Ruiz Rodriguez	\$3,630.96
21.	Marcial Sales Diaz	\$2,960.10
22.	Casimiro Silverio Lopez	\$718.12
23.	Augustin Soto Rios	\$779.98
24.	Jose Maria Tomas Recinos	\$2,835.86
25.	Rudy Velasquez Rivas	\$1,711.02
26.	Samuel Eduardo Tecun Lucas	\$1,399.40

2. With respect to the claims brought pursuant to the Migrant and Seasonal Agricultural Worker Protection Act (AWPA), which were previously certified by this Court for class action treatment pursuant to Federal Rule of Civil Procedure 23 (Doc. 100), this Final Judgment covers the following class of individuals:

All those individuals admitted as H-2B temporary foreign workers pursuant to 8 U.S.C. § 1101(a)(15)(H)(ii)(b), who were employed in the Defendants' forestry operations from June 1999 until the present.

Forty-nine (49) individuals filed exclusion forms to remove themselves from the Rule 23 class. Those individuals are therefore also excluded from this

Final Judgment. They are:

1. Oswaldo Alexander Morales Rivera
2. Aldubin Antonio Munguia Ramires
3. Armando Galo Alvarado
4. Armondo Ordonez Flores
5. Arturo Figueroa Munguia
6. Celeo Vasquez Hernandez
7. Ciriaco Mejia Ortiz
8. Concepcion Martinez Cruz
9. Edmundo Hernandez Garcia
10. Efrain Martinez Jigusoa
11. Eriberto Ortiz Ramirez
12. Erlis Osmin Velasquez Mejia
13. Ernesto Hernandez Martines
14. Fermin Videa Vasques
15. Hector Enrique Galo Garcia
16. Hector Enrique Maldonado Carrios
17. Immer Rubio Ortega
18. Jose de la Paz Gomez Figueroa
19. Jose Luis Galo Cruz
20. Jose Santos Gomez Gomez
21. Jose Santos Martinez Alvarado
22. Juan Adalberto Galo Garcia
23. Juan Alejo Mejia Ortiz
24. Julian Munguia Vasquez
25. Lucas Alvarado Sanches
26. Luis Alonso Mejia Ortiz
27. Luis Alonzo Alvarado Martinez
28. Miguel Angel Garcia
29. Orlando Ortiz Galo

30. Oscar Alexi Flores Andino
31. Oscar Armando Munguia Arias
32. Paulino Ortiz Ramirez
33. Pedro Pablo Vasquez
34. Porfirio Perez Salgado
35. Ramon Ramirez Osorio
36. Reinaldo Vasquez Garcia
37. Santiago Videa Alvarado
38. Santos Elvin Velasquez Mejia
39. Santos Garcia
40. Merady Colman
41. Octavio Valdes Lopez
42. Wifredo So Cho
43. Apolinario Gomez Rivas
44. Diego Estanislao Pablo Martinez
45. Esau Matias Herrera
46. Jose Perez Domingo
47. Mario Morales Mendez
48. Nicolas Perez Domingo
49. Ramiro Hernandez Perez.

3. With respect to the claims brought by the Plaintiffs and other class members pursuant to the AWWA, Final Judgment is hereby entered in favor of the Plaintiffs and the other Rule 23 class members and against Eller and Sons Trees, Inc. and Jerry Albert Eller, jointly and severally, in the amount of \$11,820,505.69 as to Eller and Sons Trees, Inc. and in the amount of \$11,320,646.95 as to Jerry Albert Eller.

4. By means of this Order, this Court hereby enters Final Judgment in this action, as defined by Federal Rule of Civil Procedure 58(a)(1).

5. The Clerk is hereby directed to enter this Final Judgment in the civil docket pursuant to Federal Rule of Civil Procedure 79(a).

SO ORDERED this 29th day of October, 2012

s/ CLARENCE COOPER

CLARENCE COOPER
SENIOR UNITED STATES DISTRICT JUDGE