

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

WILLIAM PRINCE, et al.,)	
)	
Plaintiffs,)	
)	
v.)	Case No. 19-2653-KHV-ADM
)	
KANSAS CITY TREE CARE, LLC,)	
)	
Defendant.)	

ORDER

On April 27, 2022, the court convened a show-cause hearing. Plaintiffs appeared through counsel Eric L. Dirks. Defendant Kansas City Tree Care, LLC (“KC Tree Care”) appeared through counsel John E. Ivan and its corporate representative, Zach Johnson.

The hearing was convened to address whether KC Tree Care and/or Mr. Ivan should be sanctioned or found in contempt of court for failing to produce employee payroll records and time sheets, as required by the Amended Scheduling Order (ECF 55) and the Order to Show Cause (ECF 58). (ECF 60.) At the start of the hearing, the parties explained that, minutes before, KC Tree Care produced payroll records for opt-in employees going back three years from the date the case was filed. Mr. Ivan then provided a detailed explanation of why the records were not produced earlier. Based on this explanation and as more fully stated on the record, the court found that no sanctions or contempt findings should be imposed. Plaintiffs requested time to review the produced records to determine the adequacy of compliance with the court’s orders. The court

granted the request and ordered the parties to file a joint certificate of compliance once all parties agree that KC Tree Care has fully complied.¹

The court further advised the parties that the recently re-set trial date of May 1, 2023, is firm and, because of this, the parties should expect that the court will not grant any extensions of the discovery deadline or any deadlines thereafter. The court further advised the parties to contact the chambers of the undersigned magistrate judge to schedule a discovery conference if they reach an impasse on completing production of the above-described records, or on any other issues needed to move discovery in this case forward efficiently.

IT IS SO ORDERED.

Dated April 27, 2022, at Kansas City, Kansas.

s/ Angel D. Mitchell
Angel D. Mitchell
U.S. Magistrate Judge

¹ The date of full compliance is the date that will trigger the mediation-related deadlines set in the April 25, 2022 Amended Scheduling Order. (ECF 63.)