

**IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA  
MARTINSBURG**

**KIMBERLY A. BARNES,  
for herself and on behalf of  
others similarly situated,**

Plaintiffs,

v.

**CIVIL ACTION NO. 3:07-CV-97  
(BAILEY)**

**RES-CARE, INC., a foreign corporation  
doing business in the State of West Virginia,  
RSCR West Virginia, Inc., a foreign corporation  
doing business in West Virginia and JEFFREY  
HANCOCK, KEVIN FULLER, and  
GINGER SMITH, individually,**

Defendants.

**ORDER OF STATUS CONFERENCE**

On December 14, 2007, came plaintiff Kimberly A. Barnes, for herself and others, by and through counsel Melinda C. Dugas, and came defendants Res-Care, Inc., a foreign corporation doing business in the State of West Virginia, RSCR West Virginia, Inc., a foreign corporation doing business in West Virginia and Jeffery Hancock, Kevin Fuller, and Ginger Smith, by and through counsel Eric W. Iskra and Larissa Dean, for a telephonic status conference.

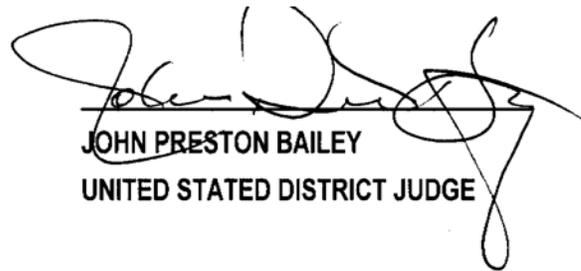
As an initial matter, the Court inquired as to the status of the case, and the parties indicated that discovery has proceeded in compliance with this Court's scheduling order. Next, the Court **GRANTED** the plaintiffs' Motion for Leave to Amend the Complaint [Doc. 51]. As a final matter, the Court indicated that it would review and rule upon the Defendants' Motion to Dismiss Count VII of Plaintiff's First Amended Complaint [Doc. 28],

as that ruling may affect class certification. There being no further business, the Court adjourned the matter.

It is so **ORDERED**.

The Clerk is directed to transmit copies of this Order to counsel of record herein.

**DATED:** December 14, 2007.



**JOHN PRESTON BAILEY**  
**UNITED STATES DISTRICT JUDGE**