

FILED

United States Court of Appeals
Tenth Circuit

UNITED STATES COURT OF APPEALS

May 17, 2013

FOR THE TENTH CIRCUIT

Elisabeth A. Shumaker
Clerk of Court

ADELINA GARCIA, et al.,

Plaintiffs – Appellees,

v.

No. 12-3346

TYSON FOODS, INC., et al.,

Defendants – Appellants.

ADELINA GARCIA; ANTONIO GARCIA; JERONIMO VARGAS-VERA; EFRAIN AGUILAR; PAULINA AGUILAR; ADELAIDA AGUIRRE; JOSE R. AGUIRRE; SALVADOR ALMANZA; MIGUEL AMAYA; ROGELIO ANDRADE; JESUS ANGUIANO; EFIGENIA ARANA; JOSE R. ARANA; RAMON ARANA; ALMA ARMENDARIZ; JORGE L. BANDA VALADEZ; DELFINO BARRAGAN; LUCIA BARRAGAN; RAMON P. BARRAGAN; HOLGA BENITEZ; BALTAZAR BONILLA; MARIA GUADALUPE BONILLA; CATALINA BUSTILLOS; BERNARDO CALDERON; ETELVINA CALDERON; GLORIA CALZADA DE CARILLO; MANUEL CALZADILLAS; JOAQUIN CAMACHO; ROBERTO CANO; ROSA M. CANO; ALBERTO CARRILLO; JAVIER CARRAVAJAL; LUIS CASTANON; MARIA ROSARIO CASTILLO; VICTOR CASTILLO; DAVID CASTRO; CIPRIANO CERNA; FLAVIO CHAVEZ; JOSE A. CHAVEZ; GRISELDA CLARO; JESUS CLARO; JOSE L. CONTRERAS; ELISEO PEREZ CORREA; AGUSTIN

CRUZ; FLOR ANGELA CRUZ;
LORENZO CRUZ; SOCORRO DE
LEON; AURORA CHAVEZ DE
MONTES; JAVIER DELGADO; JOSE N.
DELGADO; LILIANA MARTINEZ
DELGADO; LOREZO DELGADO;
GILDARDO RAMON DIAZ; ROSA D.
DIAZ; CARMELO G. DIAZ-
SANTAMARIA; ANA DURAN; EDGAR
E. DURAN; ABE DYCK; ELIZABETH
DYCK; FERNANDO H. ESCALANTE;
MARINA ESCALANTE; CANDIDO
HERNANDEZ ESCOBEDO; CARLOS E.
ESPINO; FRANCISCO ESTRADA;
HUMBERTO ESTRADA; MARIA
ESTRADA; AIDE B. ESTRADA VITAL;
JESUS FELIX; JOSE FLORES; JUAN
JOSE FLORES; TOMASA FRAIRE;
ERASMO GALAN; MARICELA
GALAN; ROMUALDO GALAN;
GLORIA GALAVIZ; ROCIO GALAVIZ;
CIRO GALVEZ; SILVIA REYES
GALVEZ; AGUSTIN GARCIA; BERTHA
GARCIA; HUMBERTO PEREZ
GARCIA; LUZ E. GARCIA; MAURO
GARCIA; MOISES GARCIA; MARIA S.
GLORIA; ELIA GOITIA; MELQUIADES
GONZALES; JUAN M. GONZALEZ;
MARIA T. GONZALES; MIGUEL
LORENZO GONZALEZ; ROSARI
MELENDEZ GRANDE; MANUEL
GUERRERO; SAMUEL GUEVARA;
ANGEL R. GUTIERREZ; EUSEBIO
GUZMAN; JUANA GUZMAN; LETICIA
GUZMAN; ROSENDO GUZMAN;
SILVIA GUZMAN; ELIZABETH C.
HAMILTON; HERBER RUFINO
HENRIQUEZ; ALBERTO HERNANDEZ;
EFREN HERNANDEZ; ELIDA
HERNANDEZ; FELICIANO
HERNANDEZ; FIDEL HERNANDEZ;
GUADALUPE HERNANDEZ; JESUS
HERNANDEZ; JORGE HERNANDEZ;

MARIA HERNANDEZ; MIGUEL
ANGEL HERNANDEZ; ROSA
HERNANDEZ; WENCESLAO C.
HERNANDEZ; WILFRIDO
HERNANDEZ; ADRIAN S. HERRADA;
AIDA HERRADA; ALFONSO
HERRADA; MARIA GUADALUPE
HERRADA; ELIZABETH HERRADA DE
CRUZ; RANDY HOSKINSON; OSCAR
INTERIANO; MARTIN H. ISCO;
MARGARITA LEANOS; PEDRO
LEYVA; CELSA LEYVA DE GARCIA;
BLANCA E. LIRA; DIANA LOPEZ;
GENARO LOPEZ; LAURA LOPEZ;
LAURO LOPEZ; MARGARITO LOPEZ;
MARIA DEL CARMEN LOPEZ; MARIA
DE LA LUZ LOPEZ; MAURA LOPEZ;
MIGUEL A. LOPEZ; MIGUEL Z.
LOPEZ; RODOLFO LOPEZ; MODESTO
LOYA; JOSE A. LUJAN; MANUELA O.
GARAY DE LUJAN; BEATRIZ
MADERA; MONICA MARMOLEJO;
FELICIANO MARTINEZ; FIDEL
MARTINEZ; GANDINO MARTINEZ;
LETICIA MARTINEZ; NESTOR
MARTINEZ; RAFAELA ORTIZ
MARTINEZ; SATURNINO MARTINEZ;
MARIO MAYA; DOMINGO MARTIN
MEDINA; RAMIRO MEJIA; MARIA
DORA MENDEZ; RODOLFO MENDEZ;
BEATRIZ MENDOZA; IRENE E.
MERINO; DIONILA MEZQUITA;
MARIA MOLINA; MAXIO A. MOLINA;
SERGIO A. MONRREAL-ROCHA;
RAUL MONRROY; ALFONSO
MONTANO; LUIS MONTERROZA;
ADRIAN MORALES; FRANCISCA
MAGALLANES MUNIZ; ALFONSO
MURCIA; CARLOS MURGUIA;
ABRAHAM SOSA; ABEL
NAVARRETE; ALBERTO TAMAYO;
LORENZO NAVARRETE; SONIA
TAMAYO; RAMON NAVARRETTE;

ALISIA NIETO; JOSE J. TERRAZAS;
ISAAC OLGUIN; MARIA TERRAZAS;
JAVIER OLGUIN; MARY OLGUIN;
ALBARO TORRES; MARIA D. OLIVAS;
SANG THI TRAN; LAURO ORTEGA;
THANH NGOC TRAN; MARIA ROSA
ORTEGA; MARICELA LARES
ORTEGA; MARIA URRUTIA;
YOLANDA ORTEGA; ROLANDO
VAILLANT; FRANCISCO A. ORTEZ;
MARIA E. VALADEZ; MANUEL
OSORIO; YASMIN VALADEZ; JOSE
RAUL PALACIOS; MARIA ANGELINA
PALACIOS; GILBERTO ARMANDO
VALENCIA; MIGUEL PERALES;
ABRAHAM VALLEJO; BERTHA
PEREZ; GABRIELA PEREZ; BERTHA
VALLEJO; JORGE L. PEREZ;
MARIANA VANEGAS; MARTHA
PEREZ; GERARDO C. VARELA; JOSE
ALEJANDRO PINEDA; ALEJANDRO
PONCE; JOSE VASQUEZ; IRMA
PONCE; RAYMUNDO VASQUEZ;
JUAN PONCE; SALVADOR VASQUEZ;
JOSE VICTOR PRIETO; ROSA MARIA
VELASCO; EUGENE PROKOPINSKI;
SAUL VELASCO; JUAN ENRIQUE
RAMIREZ; MARIA RAMIREZ;
NICOLAS RAMIREZ-ACOSTA; JOSE
RENTERIA; ALMA RESENDIZ;
ESTEBAN RESENDIZ; SANDRA
RESENDIZ; JOSE A. REYES;
FRANCISCO J. VELAZQUEZ; IRMA G.
VELAZQUEZ; MIRIAM DEL CARMEN
REYES; FRANCISCO MONTES RIOS;
REYMUNDO VIANA; SALVADOR
ALVAREZ RIVERA; JESUS VILLEDA;
JORGE ROBLES; SANTIAGO
VILLEGAS, JR.; LUZ M. ROCHA;
SERGIO ZAMORA; GUADALUPE
RODRIGUEZ; JOSE R. RODRIGUEZ;
MARINA RODRIGUEZ; RAFAEL
RODRIGUEZ; ROSA RODRIGUEZ;

SALVADOR ROMERO; RUBEN N.
SALAS-ORTIZ; RICARDO SALDANA;
SIXTO SALDANA; CANDIDO MARINO
SANCHEZ; ROSA MARIA SANCHEZ;
RAMON SANDOVAL; DANIEL
SANTACRUZ; LUIS A. SANTACRUZ;
JOAQUIN SANTOYO; SOFIA E.
SAUCEDA; ALEJANDRO SERRANO;
ARMANDO SERRANO; FERNANDO
SERRANO; SERGIO SERRANO;
BRENDA SERRATO; RAFAEL SOLIS;
DAVID S. SOLORZANO; AARON
SOSA; MIGUEL AGUILERA; JUANA
ALMANZA; MANUEL ALMANZA;
BENITO BARRAGAN; MARIA
CERRITOS; ISMAEL CHAIREZ; SARA
CHAVARRIA; RAQUEL ESTRADA;
ANA R. FLORES; JOSE HUERTA;
SOPHIA LAMDERO; ARNULFO LIRA;
GABRIELA LIRA; JULIA LOPEZ;
MANUEL DE JESUS LOPEZ; MARIA A.
MARTINEZ; MARIA GUADALUPE
MARTINEZ; MAREIAL MORALES;
ESTELA MURGUIA; ARMANDO
NUNEZ; MICHELLE ORTEGA; OMAR
ORTEGA; LUIS ORTIZ; ROSALIA
PEREZ; SOCORRO PEREZ; MARIA
PEREZ-SERRANO; MELANIA PINEDA;
JOSE RAMIREZ; PETER RAMIREZ;
STEVEN RAMIREZ; DIANA RAMOS;
BLANCA SALMERON; FELIX
SOLOZANO; VASHON L. TELFAIR;
ARTURO VILLANUEVA; IRINEO
ZEPIEN; CARLOS ACOSTA; ELIAS
MURILLO AVALOS; HUGO
CASTRUITA; ALICIA MUNOZ
HERNANDEZ; FRANCISCO
HUEREQUE; ALICIA MARTINEZ; JOSE
G. MARTINEZ; PEDRO NEAVE;
CATALINA ALVARAEZ DE NICHOLS;
EDUARD NICHOLS; MARIA DEL
CARMEN PEREZ; MARIA
MARGARITA RENOVA; ALICIA

SANCHEZ; MACARIO R. FARIAS;
PRIMITIVO GALVEZ; MARIA
LOURDES GONZALES; GASPAR
BENITO LUX; ENRIQUE MUNOZ;
GREGORIA RAMIREZ; SALVADOR
SANCHEZ; AURA SANTACRUZ; JOSE
I. VALDEZ; HECTOR GARCIA
VALLES; JESUS AGUILAR; MARIA A.
ARREOLA; FEDERICO G. BALTAZAR;
ARMANDO CASTILLO; ABIGAIL
CHAIRES; MARIA ESTRADA
CHAIRES; PATRICIA CORREA;
ANGELICA MARIA NUNEZ
ENRIQUEZ; JOSE ANSELMO
ENRIQUEZ; FRANCISCO ESQUIVEL;
HUMBERTO ESQUIVEL; TOMAS
FELIX; MARIA FLORES; SAMUEL
GOMEZ; ELIZABETH GONZALES;
KRISTAL GONZALEZ; RONALD W.
HARDEN; TEODOLO HEREDIA;
MARIO HERRERA; RIBORGERTO
JOHNSON; JOSE DE JESUS LIAMAS;
LUIS E. LOZANO; MARIO CHAIRES
MARES; EUSEBIO MARROQUIN;
MARIA NOELI MONTOYA; NORMA
NAIERA MORALES; HUGO ORTEGA;
ROSALBA ORTEGA; GONZALO
PADILLA; MERCEDES RAMIREZ;
SALVADOR ROJO; RODOLFO
RUBALCAVA; ROSINDA DE JESUS
UCLES; IGINIO CRUZ; FELIPE
BRAVO; CHARLES VELAZQUEZ
BAEZ; REYNA LOPEZ; AURORA
ALDANA; EDUARDO F. NOLASCO;
PEDRO BALTAZAR; EDDIE PRIETO;
JACIMTO ALMAREZ; CARLOS
MARTINEZ; MARIA MARTINEZ;
JOSEFINA GARCIA DE RODRIGUEZ;
FELIMON RODRIGUEZ; JOSE MARTIN
HERNANDEZ; JOSH LUNDBLADE;
NORA DURAN; SANDRA M.
HERNANDEZ ALFARO; FAUSTO
VASQUEZ; JOSE HERNANDEZ; JORGE

HINOJOSA; SEVERIONA HINOJOSA;
GILBERTO GUILLEN; CRUZ P.
RAMIREZ; VIDALINA G. GALVAN;
ANTHONY GARCIA; ASCENCION
GARCIA; ROBERTO AGUILAR;
ROBERTO ALMEDA; BLANCA
BENITEZ; DAVID CHAVEZ; LUIS
ALBERTO SANTACRUZ CASTANEDA;
MARTIN FACIO; FEDERICO CHAVEZ;
AARON FINDLEY; ANTONIO
HINOJOS; MARIA LAGUNA GUERRA;
JOEL GARCIA MAEDA; JOSE
MORALES; ELIZABETH ONTVEROS;
JOEL ORTEGA; MANUELA ORTEGA;
JUAN REYES; PEDRO REYES;
HELADIO RIVAS; CARMELITA
ROSALES; FEDERICO ROSALES;
ALFREDO RUTIAGA; REYNA
SALINAS; RAMON SOTO; JOSE
ARRAS; MARIA DEL CARMEN;
ELAINE ROMERO; CARLOS
MENDIAS; SABRINA GARCIA;
ADAMS MURILLO; AMALIA
MORALES; MICHAEL LIBARRA;
ARTURO CELIS; SONYA MARIBEL
HERNANDEZ; MARIA GERRERO;
WILFRIDO INGLES; EDELMIRA
VELAZZO; SHARON SMITH; RAMON
PEREZ; CINDY CISNEROS; DORA
ALICIA MARTINEZ; AMADO
FIGUEROA; GUADALUPE QUESADA;
PATRICIA ANGUIANO; JOSE LUIS
BARRON MENDEZ; MARIA PONCE;
LEONARDO GODINEZ VILLALOBOS;
J. R. OTERO; ALVARO TORRES; FIDEL
REYES; ISMAEL LOPEZ; JOSE
VALADEZ; RAFAEL RUIZ; LEOPOLDO
SANCHEZ; SAUL RIVERA; MIGUEL
ENRIQUEZ; RICARDO MARTINEZ;
GLORIA GARCIA; JOSE MINEROS;
INES LOPEZ; PEDRO S. HERNANDEZ;
ALEJANDRO SOLORZANO;
FRANCISCA QUINTANA; CRUZ

GUEVARA; CRISTINA TUCKER;
PASCUAL BARCENAS; MIGUEL
CORTEZ; MARIA ELENA GOMEZ;
ROQUE SOTO; ARMANDO AGUIRRE;
JESUS ALVAREZ; GALINDA
BANUELOS; LETICIA CARDEMAS;
MARIA DAMIAN; GUILLERMO
DOMINQUEZ; CARLA ESPINO;
OSCAR GALVEZ; BERNABED
GRAMAJO; FRANK GUEBANC;
FRANCISCO GUERRERO; ANTONIA
HERNANDEZ; LETICIA HERNANDEZ;
MARCO ANTONIO HERNANDEZ;
JOSE MARTINEZ; JOSE LUIS MEDINA;
MARTHA MARIA MENDIOLA; SILVIA
NAVAR; DAVID RAMIREZ; MARIA I.
REYES; FRANCISCO RICO; JUAN
RICO RODRIQUEZ; LAWRENCE
STEADHAM; MARTIN TERRAZAS, JR.;
BERTHA F. TREJO; JUAN VIRQUEZ;
ISAAC ADAME; ARACELI ALARCON;
BENJAMIN ALVAREZ; ROSA M.
BALTAZAR; GILDARDO BARRAGAN;
JUAN CHAVEZ; LAQUITA CLARK;
ANTONIO MARTINEZ; ANTONIO
MARTINEZ CANO; JUAN FRANCISCO
MENDEZ; RICHARD MOLINA; MARIA
E. MONTANO; JUAN F. MUNOZ;
GREGORIO ORTEGA; MICHELL
PINEDA; CARMEN RAMIREZ;
IMELDA ANILES; JOSE ARANDA;
ADRIAN ARCE; LUIS CHAVEZ;
GERARDU CONTRERAS; JOSE L.
FELIX; RAFAEL G. GALLARDO;
MARIA GOMEZ; OLGA V. GOMEZ;
MIGUEL GONZALEZ; MARIA LUISA
HERRERA; FLORENCIA CORONADO
JURADO; GUADALUPE LOPEZ;
TELESFORO MONTELONGO;
ERNESTINE MAGALLANES RIOS;
CHRIS MORALES; FRANK RIVERA;
JAVIER HERNANDEZ RIVERA;
VILMA RUBIO; FEDERICO A. SOLIS;

SALVADOR TOQUINTO; MARTIN
ALVAREZ; MARCO ANTONIO
ARTEGA; EDITH A. BARRERA; JOSE
OVIDIO BENITEZ; JOSE L. CORTEZ-
CASTRO; TONY CRUZ; ROSAMARIA
MONTES DE CORTEZ; CARLOS
DOMINGUEZ; EUSEBIA DOMINGUEZ;
JOSE J. HERRERA GALDAMEZ; OBED
LIRA; MIGUEL LOPEZ; VINCENTE
MARQUEZ; MARIA L. MONTELONGO;
AURORA RAMOS; JESUS RAMOS;
LAURO RIOS; FELIPE ROBLEDO;
ELIDA SALVADOR; MARIA
SOLORZANO; MANUEL SANCHEZ;
DEBBY G. TORRES; GONZALO
ALBARRAN; JASINTO ALMARAZ;
MARIA E. ALMARAZ; MARIA SARA
ALVEREZ; RAFAEL ARAGOMEZ;
JUAN ARROELA; JOSE R. BOTELLO;
HECTOR CASTILLO; SAN JUANA
CAVAZOS; MARTIN CRUZ; FLORINA
DE LEON; ROLANDO DE LEON;
ABDON GARCIA; JOSE GOMEZ;
VICTOR HERNANDEZ; NOEMI
HOLGUIN; CARLOS MARTIN LEYVA;
JOSE DE JESUS LLAMAS VALLE;
MARIA R. PENA; BERTHA A.
RODRIGUEZ; ARMANDINA
SALAZAR; LEONARDO SALAZAR;
JULIA E. TURCIOS; GUILLERMINA
TREJO; TOMAS VALDIVIA;
FRANCISCO O. YESCAS; YADIRA
ALBARRAN; CLARA M. ALVAREZ;
SERGIO AVITIA; OBDULIA
BARCENAS; EFRAIN DE LEON;
MAURICIO GALLEGOS; MAURO I.
GARCIA; LUIS I. GONZALEZ;
JACINTO GONZALEZ-CALVARIO;
JOSE F. GUEVARA; ALEJANDRO
LOPEZ; ANDRES LOPEZ; MARIA
LOPEZ; MONICA LOPEZ; GLADYS
MERINO; CRISTINA NUNGARAY;
ALEJANDRA NUNO; RICARDO PINTO;

JOHAN M. PULIDO; MAURICIO RAMIREZ; CRISTIAN RAMIREZ; SOFIA REYES; JOSE GONZALEZ RIVERA; MIGUEL RIVERA; ANDREA RODRIGUEZ; GERARDO RONQUILLO; DOMINGA SALDANA; ROSA SALDIVAR; DIEGO SANCHEZ; JESUS SORIANO; LEOBARDO TREJO; OSCAR VASQUEZ; JOSE ACOSTA; MARTIN ALMARAZ; FERNANDO ALVARADO; BLANCA L. BENITEZ; ERICK JOSE CAMPOS; JOSE ENRIQUEZ; ADELINA ESPINO; GERMAN FERMAN; J. CARMEN FLORES; MARTHA FRANCO; CARMEN I. GONZALEZ; ROSA GONZALEZ; VICTOR MANUEL REYES; MANUCIA RIOS; MARTIN RIOS; FELIPE TENA; MARGARITA MENZA DE TENA; IRMA VINCENTE; FABIAN VILLATORO; ERNESTO ALCANTARA; ELMER LOPEZ; DOMINGO SIERRA; JOSE RODRIGUEZ; DELIA VALENZUELA; DARLEANE ACEVEDO; JOST ANGEL AMAYA; AUGUSTIN AVILA; MANUEL ANGEL BALBANEDA; JOSE BARRERA; JUAN PABLO CANQLES; MANUEL CISNEROS; RAFAELA CISNEROS; HERMILA CORRAL; LUZ IDALIA CRUZ; CASTELLANO DOMINGUEZ; CRECENCIANO GARCIA; PATRICIA GARCIA; JUAN MANUEL GONZALEZ; ANTONIO HERNANDEZ; ISREAL HERNANDEZ; SOPHIA LANDERO; ERIC LEDESMA; GUILLERMINA MARTINEZ; INES MUNOZ; MARIA NUNEZ; JONATHAN OLSON; NILLER PINTO; ROBERTO RAMIREZ; JOSE R. RECINOS; JOSE ALBERTO RODRIGUEZ; MARIA GONZALEZ ROMERO; NANCY ROMERO; HECTOR SALDIVAR; SIMEON SALDIVAR; ELISEO R.

SANDOVAL; JOAQUIN SANTOYA;
BRENDA TERRAZAS-LEYVA; JESUS
H. TERRAZAS; MARIA L. TERRAZAS;
HECTOR VALDEZ; JESUS VALLEJO;
GUADALUPE ZUNIGA; MARIA
BERTHA (BAZAN) CURTIS; MARIA
GAMEZ; SULEMA JIMENEZ; JOHN R.
JUAREZ; CARLOS ROLVERA;
NATALIA AMAYA; JOSE CAMONA;
MARIA CAMONA; SARAFIN CLARO;
ARCADIO FIGUEROA; JUANA
FUENTES; RAMON GOMEZ; NICOLAS
GUTIERREZ; MARIA G. GUZMAN;
MARIA GUZMAN; ADRIAN
HERNANDEZ; ARMANDO
HERNANDEZ; RAMON HERNANDEZ;
TERESA HERNANDEZ; JOSE M.
HERNANDEZ-TORRES; ADRIAN
LEON; ESTEVAN LUNA; JOSE LUNA;
ERICA JUDITH MAJALCA; ROSA
MARKOTTE; FELIPE MEDINA; JUAN
MEDINA; CONSUELO MOLINA MEZA;
AMPARA NUNEZ; MARIA
ONTIVEROS; MARIA CARMEN
PEREZ; JUAN MORENO; FILIBERTO
SANCHEZ; SERGIO VERA; SAUL
SANCHEZ; ROSA VELASQUEZ;
YENNY VENTURA; MAXIMINO
VIVIDOR; MARIA CRISTINA
ZARAGONZA; MARIA HERNANDEZ
ADAME; RAUL AGUIRRE; CECILIA
CHAVEZ; EVANGELINA CRUZ; JOSE
A. CRUZ; ALICIA DELGADO;
WILLIAM A. DUCOS; ADAN FERREL;
ETELVINA GARCIA; JOEL GARCIA;
ROCENDA GOUZ; ROCENDA GOUX;
JESUS GUEVARA; MANUELA C.
HERNANDEZ; WESCESLAO
HERNANDEZ; FERNANDO LEOS;
DORALIA LIRA; VIDAL MADERA;
ROSA MAJALIA; ROSALVA
MARTINEZ; JAVIER MORALES;
ANATOLIO NUNEZ; DANIEL NUNEZ;

MARTIMIANA NUNEZ; ATENOJENES
MELGAREJO RAMOS; RUBEN
RAYAS; MARIA C. RINCONS;
EDUARDO RODRIGUEZ; CIPRIANA
RODRIGUEZ; JOSE J. RODRIQUEZ;
ERNEST DE LA ROSA; JOSE HERNAN
SANDOBAL; JUANA SEIJAS;
RONALDO VAILLANT; ALBERTO
GONZALES; ROXANNE GAYLE
GUEBARA; BENITA LOZANO;
MARIBEL RENTERIA; RENEE D.
CANNON; ROBERT R. KRUMME;
CONNIE J. MASENTHIN; DORINDA
SNYDER; MAWLID TAAKILO;
GALICANO ALEA; DEXTER BELL;
EDWARD FRANKLIN; BONITA
HAYES; WILLIE RANDAL; RON SOTH;
MARYAN ABDILLE; ESTIBAN
AGUILERA; JULIO ALFARO; JEROME
ALLEN; ROBERT ALONZO;
MOHAMED ARALE; KENNETH
ARNDT; ALLAN ARTHUR; TRINIDAD
ARZATE; JAMES AUBERT; PABLO
AVALOS-QUIROZ; ALIOU BA; JOSEPH
BARRETT; BENJAMIN BARTEE;
CLINTON BAYSINGER; ANTHONY
BECKSTROM; TEODORO BONILLA;
RODNEY BORG; ROY BOUSE;
ANTHONY BOWEN; MELISSA
BOWEN; SAMUEL BRACHLE; SHAD
BREMER; HAROLD BUCKBEE; CID
BUELL; DIANE BURGER; MARIO
BUTLER; CARL BYNUM; JOHN
CALAMAN; ROY CARSON; ANGEL
CASILLAS; DE LA CRUZ
CASTANEDA; JUAN CASTANEDA;
JERRY CERVANTES; RICHARD
CERVANTES; ROCHELLE
CHAMBERS; MARIO COJON;
NATHANIEL COLLINS; DANIEL COX;
ARTHUR CRIQUI; LOLA CUMMINGS;
DEEQA DAHIR; JEREMY DAVIS;
PEDRO DELOERA; MATTHEW

DENNER; GEORGE DENNIS; YUSUF MOHAMED DIINI; JUANA DURAN; AARON ELDER; TONY FERGUSON; ANTHONY FULLER; MARY GAMEZ; MARTIN GARCIA; SABINO GARCIA; CHARLES GARNER; ESTELA GARZA; JESUS GARZA; CRISTINA GONZALEZ; MARIO GONZALEZ; RUBEN GONZALEZ; JOHN GREEN; OCTAVIA GREEN; JOHN HALL; WILLIAM HARRELL; ASHLEY HARVEY; THOMAS HEBB; ALEJANDRO R. HERNANDEZ; EDUARDO HERNANDEZ; JUAN HERNANDEZ; RANDAL HIPPEN; HAROLD HODGE; JONATHON HOHN; BRANDON IGWE; JULIE JENNINGS; JOSEPH JIMERSON; GERAL JOHNSON; PAUL JOHNSON; VIOLA JOHNSON; SHARILYN JONES; JEFFREY KEATING; MARCUS KINDLE; TARAH KLUTH; DAVID KOESTER; CHRISTOPHER LESSLIE; JANETH LINARES; DE VALLEJO LOPEZ; RICARDO LOPEZ; RODRICK LOVE; DELORES MAGEE; CANDIDA MARTINEZ; JUAN MARTINEZ; MADELEINE MATTHEWS; VALERIE MAYO; DANIEL MILLER; ABDI MOALIM; MARCEL MOLIOVAN; MONICKE MOORE; SHAUN MOORE; MARIA MORA; DIANNA MORALES; JUAN MORELOS; JUAN MORELES; DUNG NGUYEN; NADINE NUNNELEE; NELSON ORELLANA-QUIJADA; MARIA ORTEGA; VITOR ORTEGA; CHRISTOPHER PALOMINO; MIGUEL PENA; BILLIE PENDLETON; ADRIAN PERKINS; DAVID PNCE; KELDRICK PRATT; AYALA PRUDENCIO; CANDELARIA RAMIREZ; JOEL REESE; LUCIA REYES; JOSEPH RHINE; ROBERT RICHARDSON; FELIPE RIVERA;

ANNA RODRIGUEZ; DELLAREECE
ROGERS; JOSEPHINE ROMERO; JOSE
RONDON; JOSE RUIZ; SIMON
SALCEDO; NAZARIO SALDANA;
PEREZ OBED SALDIVAR; DELIA
SALINAS; De MAPULA SANDOVAL;
FLOR SANDOVAL; ROBERT
SANTONI; JOSE SANTOYO; TIANA
SANTOYO; FAUZI SHEEKH; GARY
SHEPARD; CAROL SISSON; JEFFRERY
SISSON; BRANDON SMITH, KENNETH
SMITH, JR.; KEITH SMITH; KENNETH
SMITH; LORI SOLIS; KERBY
SOUTHWARD; CHARLES SPEER;
MICHAEL SRADER; JOSEPH
SULLIVAN; GARY TAPP; MARCOS
TELLEZ; ADA THEEL; ANTHONY
THOMAS; TROY TORRENCE;
RIGOBERTO TORRES; ALEJANDRINA
TREVINO; GARCIA TREVINO;
RADOLFO TREVINO; SEAN UK; LILIA
ULTRERAS; JAVIER VASQUEZ;
FRANK VIGIL; ELFEGO VILLA;
KENNETH WALSTROM; GEORGE
WARNER; MAURICE WARNER; JESSE
WEAVER; MARK WEINGARTNER;
WILLIAM WEINGARTNER; BRANDON
WELCH; ANDRE WHITE; RANELL
WILLIAMS; JR WILSON; NICK
WOLFE; BRIAN YOWELL;
ABDISALAN ADAN; NUUR ADEN;
ANICETO AVILA; TOM BOONE;
HOWARD BOSTON; FELIX CASTILLO;
RAMOS NATIVIDA CASTILLO;
RUFINO CASTRO; CHI CHAU;
MARTIN CHAVEZ-DURAN;
CHHOUKRATH CHHAY; CECILIO
CHIAPA; SHYLA COOPER; MARIA
DELGADO; MARIA ESPARZA; JUAN
GAMEZ-GUERRA; DAVID GARCIA;
PATRICIA GARCIA; DEMETRIUS
GREEN; MARIAN GULED; JACOB
GUITIERREZ; ENRIQUE GUZMAN;

THERESA HANSEN; ROSAVA
HERNANDEZ; TORRES PABLO
HERNANDEZ; DE HERMOSILLO
HUARACHA; GEORGE HUNTER; JEFF
IRVIN; CHI LE; DUNG LE; HIEU LE;
MANH LE; TRINH LE; AARON LEE;
DONALD LEONARD; JOSE LOPEZ;
LUIS MAES; HASSAN MAHAMED;
JOSE MARTINEZ; DELIA MARTINEZ;
JOSE MARTINEZ, JR.; CESAR
MEDINA; ORTEGA ISMAEL
MENDOZA; DONALD MEYERS;
NATHAN MEYERS; HUSSEIN
MOHAMED; VICTOR MORA;
ANTONETTE NELSON; THUY
NGUYEN; TOCH NOU; MARIA PEREZ;
MARIO PEREZ; MIA PHAM; BLANCA
RANGEL; RAQUEL SALAMANCA-
GALVEZ; JESSI SALINAS; ALFREDO
SANDOVAL; AKI STIMATZE; TOMAS
ROMAN; JACKIE STOCKS; MARCELO
TARANGO; MELANIE TAYLOR;
CHAD TUTTLE; CELIA VASQUEZ;
RICHARD WARD; ABDULAZIZ
WARSAME; ALI WARSAME;
MOHAMED WARSAME; CHAIFA
XAYASING; SCOTT XAYASING;
FARHIYO YUSUF; LORETTA
ZAMORA; JOSE ZEPEDA; JEFFREY
ZORN; ERNIE AYALA; MARYLOU
BARAJAS; TERRENCE BATTLES;
BOBBY BEVERLY; BRENNAN BEYER;
DEE COOPER; JOSE CRUZ; ROBERTO
GARZA; OBDULIO GUARDADO;
JERMYN HARRELL; DELDRICK
HARRISON; JUAN HERRERA; JOSEPH
JENSEN; GREGORY JOHNSON;
SANDRA KESSLER; STANLEY
KESSLER; BLANCA LANDAVERDE;
BERTHA LOPEZ; MONSERRATO
LOPEZ; SANDRA MALAVE TORRES;
TRANSITO MARTINEZ; LINDA
NGUYEN; EVEN NOBLE; APRIL PAW;

FREDRIC PETERSEN; JASON RAFF;
GABRIEL RAMIREZ; CHRISTINA
SCHMITT; JASON SCHMITT;
MARIELA SOLORIO; ROBERT
STUART; SANTA VASQUEZ; TA-
TUNC VAXTER-FRANKLIN; MARCOS
VILLEGAS; DIONYSIUS WALLACE;
JANICE WILCOXSON; TIFFANY
ELLMORE; CONCEPCION ORNELAS;
MARIO PADILLA; VERONICA
URBINA; JOANN ALDRETE;
YOLANDA BLANCO; OBDULIA
CALVARIO; MIGUEL CONTRERAS;
ANDRE COX; RODOLFO ESPARZA;
GABRIEL FIGUEROA; AGUSTIN
GUZMAN-CABRERA; MATTHEW
MARRS; LEOPOLDO MARTINEZ;
LAMAR MEANS; JESSE
MONTEMAYOR, JR.; RAUL MUNOZ,
JR.; LOAN NGUYEN; TIET NGUYEN;
JAQUIN RIOS; JOHN RODRIGUEZ;
ALMA ROSA ROJO; JASON ROJO;
KOSTER ROJO; ORLANDO ROJO;
ROBERT SMITH; ANTONIO
VASQUEZ, JR.; ROBERT ZAVALA, JR.;
ELIAS ZUNIGA; JULENE ACUNA;
SILVIA AGUIRRE; HASSAN AHMED;
LEOPOLDO ARAIZA; DONALD BABB;
MARES DE ROSA BENITEZ; CURTIS
BENJAMIN; GUSTAVO BLANCO;
RICHARD BOLEN; KEVIN
CAMPBELL; ERICA CAUDILLO;
EDGAR CORREA; MERIN DAVIS;
MARIA DE LA CRUZ; ROSA ESPINO
GOMEZ; MICHAEL EVERETT; JOHN
BALDOMINO; MOHAMUD FARAH;
OMAR FARAH; LOREN FLAHARTY;
JOSE FLORES; GORDON FURNESS;
PHILIP GALLAS; HA GEE; SOCORRO
GONZALEZ; RODNEY GREENE; LUIS
GUITIERREZ; ADOLFO GUZMAN;
JAMA HASSAN; ANAGIL
HERNANDEZ; XAVIUS HILL; LYNN

HUNTER; MORAYMA JAQUEZ;
DELMY LANDAVERDE; PORFIRIO
LANDAVERDE; REFUGIO MARES;
NOLA MCGILL; CLEOPHAS
MCKINNIE; FERNANDEZ MENDEZ;
CAROL MILLER; GILBERTO
OLIVAREZ; TECUMSKEH OLIVER;
ABDULKADIR OMAR; VICKIE PEGEL;
JOSE ROBLES; MARIA RODRIGUEZ;
VALENTIN RODRIGUEZ KRSNA
ROSALEZ; JUANA SANDOVAL;
JOVAN RIVAS; MARK SEIDLER;
JOSEPH SIMON; ANDREW SMITH;
JAROM SMITH; RICK SMITH; DAVID
TRAN; BERNARDO TREVINO; RUIZ
ROYCE VARELA; MARIA VASQUEZ;
FRANCISCO VILLA-LEON; BRYAN
WALSTROM; ANNIE WILLIAMS;
MOHAMED ADAN; HAMDY AHMED;
MARQUEZ FERNAN BAUSTISTA;
DAVID BILAS; ALISHA CHITUCK;
GARY DAVIES; MAGDALENA DIAZ;
JUAN ESTRADA; GLORIA GALLEGOS;
RAUL GARCIA PENATE; JOSHUA
HEDGEPTH; DEWAYNE HOLCOMB;
SHAMHAD IBRAHIM; MARIA
INTERIAL; G IZAGUIRRE; JOSE
IZAGUIRRE; ROSALINDA
IZAGUIRRE; DAVID MARTINEZ-
LARA; HERBI MOHAMOUD; JOSE
OCHOA; DAVID ORTEGA; MARIA
ROJAS; ANGEL ROMERO; ELISA
ROMERO; OLGA ROMERO; RODOLFO
SOSA; PERRY STEELE; JA TIN;
SAMUEL VILLEGAS; BRUCE
WILLINGHAM; LAWRENCE
BARRANCA; JUAN BUSTOS;
ALFREDO CARRILLO; LIDIA
CARRILLO; SANTOS CASTILLO;
JAMES COBLE; MICHAEL CURWICH;
JESUS ESCARENO; DARREN FERGEL;
RONETTE GARCIA; ESTHER
GONZALEZ; JOSE GUTIERREZ; SAUL

IZAGUIRRE; ALI JAMA; DANA
LEENS; DARRELL MARSHALL;
HERIBERTO MARTINEZ; LUCECITA
MUNIZ; HECOR OLIVAS; MARIA
PALACIOS; MARY REBER-
CHARBONEAU; CRISTINA
RENTERIA; LINDSEY RODRIGUEZ;
MAYTE RUIZ; NATHANIEL TERRELL;
ALI ABDINASIR; LUIS BRICENO;
JOAQUIN CABALLERO; ALFREDO
CISNEROS; MISAEL GARCIA; DAVID
GUILLERMO; GREGORIO LOPEZ;
EMILO RODRIGUEZ; GREGORY
STEWART; EDUARDO ZARAGOZA;
RAFAEL ARRENDONDO; NICHOLAS
BRAVO; COREY BRISTOL; DAVID
McGILL; ALBERT PALACIOS; NADIA
RODRIGUEZ; SCOTT SCHOENFELD;
CARLOS VALENZUELA; ALINUR
MOHAMUD; ROSE OAKS; ADONIS
WILLIAMS; JORGE ALCARAZ; JUANA
ALCARAZ; RUBEN GUARDADO;
ROSA MOLINA; SEVERO
PACHACANO; DAWN WALKER;
NORMA ZEPEDA; ARISTEO ANAYA;
CESAR BURGUENO-VARGAS;
APOLONIO CAMARILLO; MARIA
CHAN; ALMA CRUZ; ABDULLAHI
GEESOOD; LORENA GODINEZ;
DELFINA GOMEZ; JR HANNERS;
CINDY HICOK; JOSE ILBARRA;
MARIA ILBARRA; QORANE JIMALE;
KENNETH KNITTLE; RODOLFO
LOPEZ-ZAVALA; SUAD JAMA;
ABDIRAHMAN MOHAMUD; ALVIN
NAEVE; LUIS SAENZ-MARTINEZ;
TRONE SCOTT; ABDULKADIR
YUSSUF; ALICIA MENDOZA; OSMAN
ALI; TONY DE LA ROSA, JR.; JOE
HARRELL, III., DUJUAN SIMS;
KATHLEEN THOMAS; JAMES
LOVAGLIO; MAYOLO AREVALO;
CHRISTINA DE SANTIAGO; LUIS

HUERTAS; ANTHONY KIRK; JOSE MARTINEZ; CYNARRA NAULS; RONALD NELSON; LER SAY; ALEX SIERRA; DEIVY VALLE; MARY VAN GORDEN; DENNIS BURTON; ALVIN CARTER; JUAN CASTILLO; ANDRES DESANTIAGO; PHUONG DO; BRENDA GARCIA; JOSE GIRON; THANH LE; JAMES PARKS; FANCISCO RAMOS; DUUHA AHMED; HASHI ALI; PHUC DANG; HANAD GULED; ABDIRIZAK KULANE; ANTONIA LIRA; IRMA LOPEZ-VASQUEZ; DANIEL MITCHELL; ABSHIR MOHAMED; RAUL MONROY; ABDIRASHID OMAR; FEDERICO RODRIGUEZ; RAFAEL RODRIGUEZ DE CRUZ; RODNEY SHEPHERD; JUAN RORREZ; CARLOS ZAMORANO; DEBRA VANDERMAN; TIFFANY ELLMORE; VICTORINO AGUIRRE; ARDO AHMED; JORGE AYALA; JOSE AYALA; ANA BAUTISTA; SIERRA CLARIETT; MARIA DE LEON; LUIS GARCIA; SANTOS GUZMAN; JOANA LOZA; MARIA PEREZ; RENE REYNA; LUIS RODRIGUEZ; IRIS SOTO; MICHAEL TERRIQUEZ; JESSE THACKER; CLARIBEL AXUME; LUZ BARRERA; ANA GUZMAN; NERY RABANALES; JOSE ANGUIANO; ANA M. BEJAR; FERNANDO MONJARAS; LUIS ORTIZ; OLIVIA RODRIGUEZ; RUBEN RODRIGUEZ; ALFREDO VILLARREAL; CLARENCE WILSON; ALEJANDRA DELGADO; JADA MARKET; FAKAN OMAR; VICTOR OSEGUERA,

Plaintiffs – Appellants,

v.

No. 13-3013
(D.C. No. 2:06-CV-02198-JTM)

TYSON FOODS, INC.; TYSON FRESH
MEATS, INC.,

Defendants – Appellees.

ORDER

This matter is before the court on the parties’ “Stipulation of Voluntary Dismissal of Cross-Appeal” in which the parties agree to dismiss the plaintiffs’ appeal, appeal no.13-3013. Upon consideration thereof, appeal no. 13-3013 is dismissed.

All future filings shall only contain appeal no. 12-3346 in the caption.

Entered for the Court
ELISABETH A. SHUMAKER, Clerk



by: Ellen Rich Reiter
Jurisdictional Attorney