

**NOT RECOMMENDED FOR FULL-TEXT PUBLICATION**

**File Name: 05a0838n.06**

**Filed: October 11, 2005**

**Nos. 04-5967 and 04-5968**

**UNITED STATES COURT OF APPEALS  
FOR THE SIXTH CIRCUIT**

JOHNNY H. BEENE, et al.	)	
	)	
Plaintiffs-Appellees/	)	
Cross-Appellants,	)	
	)	
v.	)	ON APPEAL FROM THE UNITED
	)	STATES DISTRICT COURT FOR THE
TENNESSEE VALLEY AUTHORITY	)	EASTERN DISTRICT OF TENNESSEE
	)	
Defendant-Appellant/	)	
Cross-Appellee.	)	

**Before: COLE, ROGERS, and McKEAGUE, Circuit Judges**

**Rogers, Circuit Judge.** In this action for unpaid overtime compensation under the Fair Labor Standards Act of 1938 (FLSA), the employer, the Tennessee Valley Authority, appeals the portion of the district court's judgment holding nonexempt from overtime protection some of its plaintiff employees . Plaintiffs employees cross-appeal the portion of the district court's judgment holding that the job functions of some of the plaintiffs are exempt from the overtime protections of the FLSA.

After reviewing the record, the parties' briefs, and the applicable law, this court determines that no jurisprudential purpose would be served by a panel opinion and affirms the district court's decision for the reasons stated in its exhaustive Findings of Fact and Conclusions of Law. The district court committed no reversible error. Its judgment is therefore **AFFIRMED**.