

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
MIDLAND/ODESSA DIVISION

JUAN GALINDO, individually and on
behalf of himself and all others similarly
situated,
Plaintiff,

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v.

Case No. 7:18-CV-00069-DC

LAFAYETTE STEEL ERECTOR, INC.
d/b/a LSE CRANE AND
TRANSPORTATION,
Defendant.

**ORDER APPROVING AND ADOPTING STIPULATION FOR CONDITIONAL
CERTIFICATION OF CLASS**

Before the Court is the parties’ Stipulation of Conditional Certification (“Stipulation”). (Doc. 16). The Court, having considered the Stipulation, is of the opinion that it should be, and hereby is, **APPROVED AND ADOPTED.** *Id.* The Court conditionally certifies this matter as a collective action, and **ORDERS** as follows:

No later than **ten (10) days** from the date of this Order, Defendant **SHALL** provide to Class Counsel in Excel (.xlsx) format the following information regarding all Putative Class Members: full name; last known mailing address(es) with city, state, and Zip Code; all known personal email address(es); all known cell phone number(s); beginning date(s) of employment; and ending date(s) of employment (if applicable).

The Court **APPROVES** the form and content of the Notice of Collective Action and Consent Form filed as Exhibit A to the Stipulation as well as the expedited issuance of the Text Message Notice filed as Exhibit B. (Doc. 16-1, 16-2). Such Notice shall be disseminated in accordance with the parties’ Stipulation. (Doc. 16).

Within **thirty (30) days** of receiving the contact information for all Putative Class Members, Class Counsel **SHALL** send a copy of the Court-approved Notice and Consent Form to the Putative

Class Members by First Class U.S. Mail and electronic mail; Class Counsel may send the Court-approved Text Message Notice of Collective Action through text message; and Class Counsel may make the Notice and Consent Form available on a website solely dedicated to disseminating notice and permitting the return of electronic signatures on the Notice and Consent Form.

Within **three (3) days** of the initial mailing and emailing of the Notice of Collective Action, Class Counsel **SHALL** file an Advisory with the Court indicating the date of delivery of the Notice of Collective Action and Consent Form.


The Putative Class Members shall have **sixty (60) days** from the initial mailing and emailing of Notice and Consent Forms to Potential Class Members to return their signed Consent forms to Class Counsel for filing with the Court (the “Notice Period”). Class Counsel **MUST** deactivate the dedicated website for notice by the end of the same 60 day Notice Period date and counsel **SHALL** file an Advisory with the Court.

The terms and conditions agreed to by the parties in their Stipulation, to the extent not otherwise inconsistent with this Order, are hereby **APPROVED**. (Doc. 16).

Finally, the Court finds this Order approving and adopting the parties’ Stipulation renders Plaintiff’s Motion for Expedited Conditional Certification of Collective Action and Judicially-Supervised Notice Under Section 216(b) and Brief in Support **MOOT**. (Doc. 4).

It is so **ORDERED**.

SIGNED this 20th day of August, 2018.



DAVID COUNTS
UNITED STATES DISTRICT JUDGE