

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF TEXAS
EL PASO DIVISION**

**ISAAC TRUJILLO, ON BEHALF OF
HIMSELF AND ALL OTHERS
SIMILARLY SITUATED,**

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PLAINTIFF

v.

CA NO. 3:18-cv-141-DCG

**TIRE CLUB USA, INC., TIRES
AUTO SERVICE, LLC, AND
FERNANDO AGUIRRE, JR.,
INDIVIDUALLY,**

DEFENDANTS

ORDER GRANTING PLAINTIFF’S MOTION FOR NOTICE TO POTENTIAL CLASS MEMBERS

The Court finds that Plaintiff has demonstrated that he is similarly situated to other employees of Defendants Tire Club USA, Inc., Tires Auto Service, LLC, and Fernando Aguirre, Jr. (“Defendants”) with respect to Defendants’ failure to pay Plaintiff overtime. The Court further finds that the proposed Notice and Consent forms attached to Plaintiff’s Motion for Conditional Certification as Exhibits B and C respectively are accurate, timely and informative. Therefore, Plaintiff’s Motion for Notice to Potential Class Members is GRANTED.

Furthermore, the Court ORDERS the parties to comply with the following deadlines and terms:

Deadline	Subject
14 Days from Order Approving Notice to FLSA Class	Defendants to disclose the names, addresses, e-mail addresses, and mobile telephone numbers of the Putative Class Members in a usable electronic format.
21 Days from Order Approving Notice to the FLSA Class	Plaintiff's Counsel shall send by mail, e-mail and text the Court-approved Notice and Consent Form to the FLSA Class. Defendants shall post a copy of the Notice and Consent Form at all office locations.
60 Days from date Notice is Mailed to the FLSA Class	The FLSA Class Members shall have 60 days to return their signed Consent forms for filing with the Court.
30 Days from date Notice is Mailed to Putative Class	Plaintiff's Counsel is authorized to send by mail, e-mail and text a second identical copy of the Members Notice/Consent Form to the FLSA Class Members reminding them of the deadline for the submission of the Consent forms. Plaintiff's Counsel is authorized to call FLSA Class Members to ensure the Consent forms were received. FLSA Class Members may return their notice via mail, email, fax, or an electronic signature service to be established by Plaintiff's counsel.

This Order shall not prejudice Defendants' right to file a motion to decertify this case at a later date.

Date: Nov. 6th, 2018


HONORABLE DAVID C. GUADERRAMA