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13 Attorneys for all Plaintiffs

14 **IN THE UNITED STATES DISTRICT COURT**  
 15 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

17 ANTONIO MARTÍNEZ, and FELIPE  
 NUÑEZ TORRES,

18 Plaintiffs,

19 v.

20 JOSE GILBERTO SILVEIRA, an  
 individual; and DOES ONE through  
 21 TWENTY inclusive

22 Defendants.

Case No. 1:10-cv-00234-GSA

**STIPULATION OUTLINING  
 NOTIFICATION TO POTENTIAL FLSA  
 COLLECTIVE ACTION MEMBERS AND  
 ORDER**

23  
 24 The undersigned represent all the named parties to this action and, by signing this document,  
 25 each and every party to this action does stipulate and jointly move this court for an Order affirming  
 26 the parties agreement on notifying the potential Fair Labor Standards Act (FLSA) collective action  
 27 members as follows:

- 28 1. The class will encompass all agricultural dairy employees employed by Defendant

1 Jose Gilberto Silveira in Merced County anytime between October 26, 2006 through the present date.

2 2. Defendants will produce to Plaintiffs' counsel no later than October 8, 2010 the  
3 names and last known permanent addresses of all potential opt-in Plaintiffs to enable the delivery  
4 of the notice.

5 3. Plaintiffs' counsel will have two months from the date on which Defendants  
6 produce the complete names and addresses to distribute notice and file opt-ins' consent forms, which  
7 shall be completed no later than January 10, 2011.

8 4. Defendant will post a copy of the Notice of Right to Opt-in to Lawsuit and Opt-  
9 in Form, herein attached as Exhibit 1, in Spanish and English, at each dairy facility owned and  
10 operated by Defendant Jose Gilberto Silveira in Merced County (including but not limited to 20334  
11 Oslo Road, Hilmar, California) for a duration of the two month opt-in period.

12 All parties have approved the notice attached as Exhibit 1.

13  
14 Dated: September 27, 2010

**CALIFORNIA RURAL LEGAL ASSISTANCE,  
INC.**

15  
16 /s/ Esmeralda Zendejas  
17 Esmeralda Zendejas  
Attorney for Plaintiff Felipe Nuñez Torres

18 Dated: September 24, 2010

**CALIFORNIA RURAL LEGAL ASSISTANCE  
FOUNDATION**

19  
20 /s/ Julia L. Montgomery (As authorized on 9/24/10)  
21 Julia L. Montgomery  
22 Attorney for All Plaintiffs

23 Dated: September 27, 2010

**THE SAQUI LAW GROUP**

24 /s/ Andrew H. Lee (As authorized on 9/27/10)  
25 Andrew H. Lee  
Attorney for Defendant

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27 ///

28 ///

1 **ORDER**

2 The Court adopts the Stipulation of the Parties. The following is hereby ordered nunc pro  
3 tunc :

4 1) The Court approves the proposed notice attached as Exhibit 1 to Doc. 37;

5 2) Defendant shall produce the full names and last known permanent addresses of workers  
6 employed by Defendant no later than October 8, 2010;

7 3) Plaintiffs' counsel shall distribute the notice two months subsequent to Defendants' release  
8 of all potential class members' names and addresses; and

9 4) Defendant shall post, for the same two-month period, a copy of the notice in Spanish and  
10 English, at each dairy facility owned and operated by Defendant Jose Gilberto Silveira in Merced  
11 County.

12  
13  
14 IT IS SO ORDERED.

15 **Dated: October 29, 2010**

**/s/ Gary S. Austin**  
**UNITED STATES MAGISTRATE JUDGE**