

1 VINCENT D. HOWARD, Esquire
 2 GREGORY H. D. ALUMIT, Esquire
 3 HOWARD LAW, PC
 4 675 Anton Boulevard, First Floor
 5 Costa Mesa, CA 92626
 6 Telephone: (800) 872-5925
 7 Facsimile: (888) 533-7310
 8 www.HowardLawPC.com

9 LAWRENCE W. WILLIAMSON, JR., State Bar No. 21282
 10 l.williamson@thewilliamsonfirm.com
 11 WILLIAMSON LAW FIRM, LLC
 12 218 Delaware St. Suite 207
 13 Kansas City, Missouri 64105
 14 Telephone: (816) 256-4150
 15 Facsimile: (913) 535-0736
 16 www.thewilliamsonfirm.com

17 UNITED STATES DISTRICT COURT
 18 EASTERN DISTRICT OF CALIFORNIA

19 RYAN YOUNG, individually and on behalf of)	Case No. 2:11-cv-02491-KJM-JFM
20 those similarly situated,)	
21)	
22)	
23)	
24)	
25)	
26)	
27)	
28)	
29)	
30)	
31)	
32)	
33)	
34)	
35)	
36)	
37)	
38)	
39)	
40)	
41)	
42)	
43)	
44)	
45)	
46)	
47)	
48)	
49)	
50)	
51)	
52)	
53)	
54)	
55)	
56)	
57)	
58)	
59)	
60)	
61)	
62)	
63)	
64)	
65)	
66)	
67)	
68)	
69)	
70)	
71)	
72)	
73)	
74)	
75)	
76)	
77)	
78)	
79)	
80)	
81)	
82)	
83)	
84)	
85)	
86)	
87)	
88)	
89)	
90)	
91)	
92)	
93)	
94)	
95)	
96)	
97)	
98)	
99)	
100)	
101)	
102)	
103)	
104)	
105)	
106)	
107)	
108)	
109)	
110)	
111)	
112)	
113)	
114)	
115)	
116)	
117)	
118)	
119)	
120)	
121)	
122)	
123)	
124)	
125)	
126)	
127)	
128)	
129)	
130)	
131)	
132)	
133)	
134)	
135)	
136)	
137)	
138)	
139)	
140)	
141)	
142)	
143)	
144)	
145)	
146)	
147)	
148)	
149)	
150)	
151)	
152)	
153)	
154)	
155)	
156)	
157)	
158)	
159)	
160)	
161)	
162)	
163)	
164)	
165)	
166)	
167)	
168)	
169)	
170)	
171)	
172)	
173)	
174)	
175)	
176)	
177)	
178)	
179)	
180)	
181)	
182)	
183)	
184)	
185)	
186)	
187)	
188)	
189)	
190)	
191)	
192)	
193)	
194)	
195)	
196)	
197)	
198)	
199)	
200)	

23 WHEREAS, Plaintiff RYAN YOUNG, individually and on behalf of those similarly situated,
 24 and Defendant MATTHEW CATE, in his capacity as the Secretary of the California Department of
 25 Corrections and Rehabilitation, submitted a Joint Request for Approval of Class Notice Procedures
 26 pursuant to this Court’s ORDER on Plaintiff’s Motion for Conditional Certification (ECF 58); and

27 WHEREAS, the parties submitted a proposed Notice of Pendency of Lawsuit with
 28 Opportunity to Join, attached as Exhibit A to the Joint Request, and submitted a proposed Consent to

1 Join Collective Action form, attached as Exhibit B to the Joint Request;

2 IT IS HEREBY ORDERED AS FOLLOWS:

- 3 1. The Notice of Pendency of Lawsuit with Opportunity to Join, attached as Exhibit A to the
4 Joint Request, is approved.
- 5 2. The Consent to Join Collective Action form, attached as Exhibit B to the Joint Request, is
6 approved.
- 7 3. Distribution of the Notice of Pendency of Lawsuit with Opportunity to Join and the
8 Consent to Join Collective Action form to all rank-and-file correctional officers currently
9 employed at Mule Creek State Prison is approved. The manner of distribution shall be as
10 follows:
- 11 a. Within fourteen (14) calendar days of this Court's Order approving the Notice
12 and Consent to Join form, and method for distribution, Defendant shall inform
13 Plaintiff of the names and number of rank-and-file correctional officers currently
14 employed at Mule Creek State Prison.
 - 15 b. Within seven (7) calendar days of receiving notice of the number of rank-and-file
16 correctional officers currently employed at Mule Creek State Prison, Plaintiff
17 shall provide Defendant copies of the Notice and Consent to Join form sufficient
18 in quantity to effect distribution of one copy of the Notice and one copy of the
19 Consent to Join form to each rank-and-file correctional officer currently
20 employed at Mule Creek State Prison. Plaintiff shall bear all costs in producing
21 copies of the Notice and Consent to Join forms.
 - 22 c. Within fourteen (14) calendar days of receiving the copies of the Notice and
23 Consent to Join forms, Defendant, or his agent, shall place one copy of a Notice
24 form, and one copy of the Consent to Join form, in the mailbox of each rank-and-
25 file correctional officer currently employed at Mule Creek State Prison, located
26 in the administrative Personnel Office of Mule Creek State Prison.
- 27
28

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

- d. Upon completing distribution of the Notice and Consent to Join forms, Defendant, or his agent, shall file with this Court a Notice and Declaration stating that distribution of the Notice and Consent to Join form has been completed.
- 4. To be timely filed and accepted, any Consent to Join Collective Action form must be filed with the Court by June 11, 2013. Consent to Join Collective Action forms submitted to the Court after this date shall not be considered timely, and will not be accepted absent a showing of good cause.

Approved As To Form:

Dated: February 27, 2013 By: /s/ Gregory H. D. Alunit, Esquire
 Vincent D. Howard
 Gregory H. D. Alunit
 HOWARD LAW, PC

By: /s/ Lawrence W. Williamson, Jr., Esquire
 (as authorized on December 27, 2011)
 Lawrence W. Williamson, Jr.
 WILLIAMSON LAW FIRM, LLC

Attorneys for Plaintiff Young and Class

Dated: February 27, 2013 By: /s/ Jennifer M. Garten
 Jennifer M. Garten, Labor Relations Counsel
 California Department of Human Resources

Attorney for defendant Matthew Cate

IT IS SO ORDERED.

Dated: April 16, 2013.



UNITED STATES DISTRICT JUDGE