

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

TRISHA WREN and CYNTHIA PIPER,  
et al., individually and behalf of others  
similarly situated,

Plaintiffs,

v.

RGIS Inventory Specialists, LLC, RGIS,  
LLC, Does 1-25 Inclusive,

Defendants.

Case Nos.: 3:06-cv-05778 JCS  
3:07-cv-00032 JCS

~~[JOINTLY PROPOSED]~~ ORDER  
GRANTING PARTIES' JOINT  
MOTION FOR APPROVAL OF  
ALTERNATIVE FORMS OF NOTICE  
OF CLASS SETTLEMENT TO  
SELECT GROUPS OF INDIVIDUALS

Judge: Hon. Joseph C. Spero

On November 19, 2010, the parties filed a joint motion (Dkt. No. 855) requesting that the Court approve alternative forms of notice of class settlement to select groups of individuals for whom they believed that the notice of class settlement previously approved by the Court (*see* Dkt. No. 851) was inappropriate. In particular, the parties have proposed that an alternative form of notice be sent to 4,388 individuals who filed written consents to participate as opt-in plaintiffs in plaintiffs Fair Labor Standard Act (FLSA) claims pursuant to 29 U.S.C. § 216(b), but who, according to the available time and payroll data from defendant's databases, did not work any hours in a position covered by this action during the three years preceding the filing of their consent form—the maximum limitations period under the FLSA. *See* 29 U.S.C. § 255. Additionally, the parties have proposed a second alternative form of notice for 2,510 individuals who, following the Court's order certifying plaintiffs' state law claims for class-action treatment pursuant to Fed. R. Civ. P. 23 (*see* Order re Pls.' Mot. for Class Certification, Dkt. No. 694), were sent notice in 2009 informing them of the certification and giving

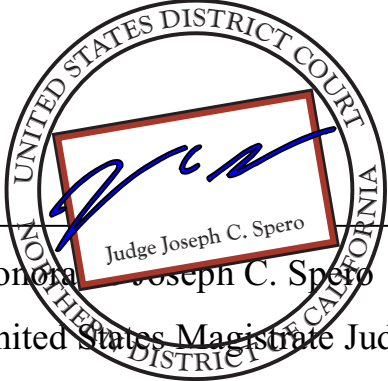
1 them an opportunity to “opt out” of those class action claims, but who, according to the  
2 available time and payroll data, do not meet any of definitions of those certified classes.

3 The Court held a telephonic hearing on this motion December 3, 2010. All parties  
4 were represented by counsel. The Court having read and considered the parties’ joint  
5 motion for approval of alternative forms of notice of class settlement to select groups of  
6 individuals, the pleadings in support thereof, and the arguments of counsel during the  
7 hearing, and for good cause appearing, IT IS HEREBY ORDERED that:

- 8 1.) The alternative form of notice attached hereto as exhibit A is approved to be
- 9 sent to the 4,388 individuals listed in exhibit 1 of the stipulation filed with
- 10 the parties’ joint motion (Dkt. No. 851-1); and
- 11 2.) The alternative form of notice attached hereto as exhibit B is approved to be
- 12 sent to the 2,510 individuals listed in exhibit 3 of the stipulation filed with
- 13 the parties’ joint motion (Dkt. No. 851-1).

14  
15 IT IS SO ORDERED.

16  
17 Dated: 12/07/10

  
 Judge Joseph C. Spero  
 Honorable Joseph C. Spero  
 United States Magistrate Judge