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9
 10 **UNITED STATES DISTRICT COURT**
NORTHERN DISTRICT OF CALIFORNIA
 11 **SAN FRANCISCO DIVISION**

12 RYAN ZULEWSKI, JOHN DAVIS, ALEX
 LANGAN, NICHOLAS ESPOSITO, BRANDON
 13 TURNER, SHARRELL FISHER, JAY COOK,
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 MCKENZIE, ANDREW MEEK, DAVID
 18 RISSER, SUSAN SPOHN, MIKE THOMPSON,
 YOLANDA TURNER, JENNA VERRASTRO,
 19 and ERIN WADLEY, on their own behalf and on
 behalf of all others similarly situated,

Case No. 3:11-CV-05117 ~~NC~~ BZ

**[PROPOSED] ORDER REGARDING
 MAILING OF CORRECTED NOTICES**

20 Plaintiffs,

21 v.

22 THE HERSHEY COMPANY,

23 Defendant.

24 Subject to the parties' Stipulation Regarding Mailing of Corrected Notices, IT IS

25 **HEREBY ORDERED AS FOLLOWS:**

- 26 1. Plaintiffs SHALL re-mail Notice to those 420 putative collective action members who
 27 were sent Notice at their address with the incorrect name, and to the two newly identified
 28

1 individuals.

2 2. Defendant SHALL pay the costs of mailing the second Notice.

3 3. The opt-in period SHALL be extended by two weeks, through and including July 13,
4 2012, for individuals being sent the second Notice.

5 4. The FLSA and California claims SHALL be tolled for two weeks for putative collective
6 action members who are sent the second Notice and who timely opt into this action.

7 5. A corrective insert SHALL be included with the second Notice containing the following
8 language:
9

10 Dear [NAME]:

11 Enclosed is a corrected version of the Notice previously sent to you regarding
12 the Zulewski, et al. v. The Hershey Company matter. The initial Notice you
13 received was sent to this address, but it contained an incorrect name due to a
14 clerical error by Hershey's counsel that was not attributable to any of the
15 Plaintiffs or their counsel and that resulted in Notices being sent to a present
16 or former RSR's address that were addressed to the incorrect RSR. The
17 substance of the enclosed Notice is the same as the initial Notice you received
18 with three exceptions: (1) your name has been corrected in the enclosed
19 Notice, (2) as a result of the re-mailing of the Notice to you, the June 30
20 deadline for you to respond to the Notice if you wish has been extended to
21 July 13, and (3) if you opt-in to the case, the parties have agreed that the
22 limitation period will be extended by two weeks due to these errors.

23 6. Plaintiffs SHALL file the consent to join forms on ECF as they arrive.

24 DATED: June 5, 2012

