

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

Master Docket No. 06-cv-17430-WYD-CBS (MDL Docket No. 1743)

IN RE AMERICAN FAMILY MUTUAL INSURANCE CO. OVERTIME PAY LITIGATION

ORDER

THIS MATTER is before the Court on the Withdrawal of Consent to Join on behalf of opt-in Plaintiff's Oscar Cota [#365] and Daniel Denne [#366].

This case is a consolidated action for unpaid overtime compensation and related penalties and damages brought pursuant to the Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 216(b), and various states' wage and overtime laws. The action is comprised of two consolidated cases including *Rocky Baldozier, et al. v. American Family Mutual Insurance Co.*, Case No. 04-cv-02174, initially filed in this court on October 20, 2004 (the "Baldozier case"), and a case initiated in the Northern District of Illinois styled *Robert Schultz v. American Family Mutual Insurance Co.*, Civil Case No. 06-cv-00322 (Northern District of Illinois Civil Case No. 04-cv-05512) (the "Schultz case"). The cases were consolidated by the Judicial Panel on Multidistrict Litigation ("MDL") and transferred to this Court as a single case on February 13, 2006. Plaintiff Denne filed his consent to join the *Baldozier* case on September 9, 2005 [No. 04-cv-02174, #93], and Plaintiff Cota filed his consent to join the *Baldozier* case on November 28, 2005 [No. 04-cv-02174, #131]. Both Plaintiffs now wish to withdraw their previously filed consents to join.

Upon review of the file in this matter, it is hereby

ORDERED that Plaintiff Oscar Cota's request to Withdraw his Consent to Join, filed December 3, 2009 [#365] is **GRANTED**. It is
FURTHER ORDERED that Plaintiff Daniel Denne's request to Withdraw his Consent to Join, filed December 3, 2009 [#366] is **GRANTED**.

Dated: December 14, 2009

BY THE COURT:

s/ Wiley Y. Daniel
Wiley Y. Daniel
Chief United States District Judge