

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
Judge Robert E. Blackburn**

Civil Case No 09-cv-01614-REB-MEH

SHANE BASS, individually and on behalf of other similarly situated persons,

Plaintiff,

vs.

PJCOMN ACQUISITION CORP.,
PJCOMN LLC, and
ESSENTIAL PIZZA, INC., d/b/a "PJCOMN,"

Defendants.

ORDER DIRECTING NOTICE TO CLASS

Blackburn, J.

This matter is before me for consideration of the plaintiffs' proposed form of notice to putative class members. The proposed form of notice is included, as Exhibit 1, with the **Plaintiffs' [Proposed] Notice** [#220]¹ filed June 30, 2011. Having reviewed the plaintiffs' proposed form of notice, and noting that the defendants do not object to the proposed form of notice, I approve the form of notice shown in Exhibit 1 to the **Plaintiffs' [Proposed] Notice** [#220] filed June 30, 2011. The proposed form of notice is captioned "Notice of Class Action Lawsuit," and I will use that language to refer to the proposed form of notice. In addition, I provide instructions to the plaintiffs as to how the Notice of Class Action lawsuit is to be directed to the putative class members.

¹ "[#220]" is an example of the convention I use to identify the docket number assigned to a specific paper by the court's case management and electronic case filing system (CM/ECF). I use this convention throughout this order.

THEREFORE, IT IS ORDERED as follows:

1. That the Notice of Class Action Lawsuit appended as Exhibit 1 to the **Plaintiffs' [Proposed] Notice** [#220] filed June 30, 2011, is **APPROVED** for mailing to putative class members in this action;

2. That before mailing the Notice of Class Action Lawsuit to putative class members, the plaintiffs **SHALL INCLUDE** in each Notice of Class Action Lawsuit the name of the putative class member to whom the notice is mailed, as shown on page one of the Notice of Class Action Lawsuit, and the deadline for mailing a request to be excluded from the class, as shown on page one and in paragraph 15 of the Notice of Class Action Lawsuit;

3. That the Notice of Class Action Lawsuit **SHALL STATE** that the deadline for mailing an Exclusion Request is December 21, 2011, as prescribed in paragraph 15 of the Notice of Class Action Lawsuit;

4. That plaintiffs **SHALL MAIL** the Notice of Class Action Lawsuit via first class mail to each putative class member no later than **Thursday, September 22, 2011**, and **SHALL FILE** with the court verification of such mailing by no later than **Wednesday, September 28, 2011**;

5. That the plaintiffs shall bear the cost of the production, duplication, and mailing of the Notice of Class Action Lawsuit.

Dated September 8, 2011, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge