

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO
CHIEF JUDGE WILEY Y. DANIEL**

Courtroom Deputy: Robert R. Keech
E.C.R./Reporter: Tammy Hoffschildt

Date: October 9, 2012

Civil Action No: **11-cv-02990-WYD-KLM**

Counsel:

SCOTT BURKE,

Donna E. Dell'Olio

Plaintiff,

v.

ALTA COLLEGES, INC.,

Elizabeth I. Kiovsky

Defendant.

COURTROOM MINUTES

MOTION HEARING

2:07 p.m. Court in Session

APPEARANCES OF COUNSEL.

Court's opening remarks.

Defendant's Motion to Stay the Deadline for its Response to Plaintiff's Motion to Certify Conditionally a Collective Action, to Bifurcate the Case, and Request for Court Conference (ECF Doc. No. 31), filed August 13, 2012, and Plaintiff's Motion to Certify Conditionally a Collective Action under the Fair Labor Standards Act 29 U.S.C. §216(b) and for Court Assisted Notice under Authority of *Sperling v. Hoffman La Roche*, 493 U.S. 165,169 (1989) (ECF Doc. No. 27), filed July 13, 2012, are raised for argument.

2:09 p.m. Argument by Plaintiff (Ms. Dell'Olio)

2:10 p.m. Argument by Defendant (Ms. Kiovsky).

2:14 p.m. Argument by Plaintiff (Ms. Dell'Olio).

2:20 p.m. Argument by Defendant (Ms. Kiovsky).

2:22 p.m. Argument by Plaintiff (Ms. Dell'Olio).

2:28 p.m. Argument by Defendant (Ms. Kiovsky).

2:34 p.m. Argument by Plaintiff (Ms. Dell'Olio).

ORDERED: Defendant's Motion to Stay the Deadline for its Response to Plaintiff's Motion to Certify Conditionally a Collective Action, to Bifurcate the Case, and Request for Court Conference (ECF Doc. No. 31), filed August 13, 2012, is **DENIED**.

ORDERED: Plaintiff's Motion to Certify Conditionally a Collective Action under the Fair Labor Standards Act 29 U.S.C. §216(b) and for Court Assisted Notice under Authority of *Sperling v. Hoffman La Roche*, 493 U.S. 165,169 (1989) (ECF Doc. No. 27), filed July 13, 2012, is **GRANTED**.

ORDERED: Addresses for potential class action participants shall be provided to Ms. Dell'Olio not later than **Thursday, October 11, 2012, at 5:00 p.m. (M.D.T.)** to be followed by Ms. Dell'Olio immediately sending out the Hoffman La Roche notice approved by the Court via First Class mail to the potential opt-in plaintiffs.

2:43 p.m. Court in Recess - HEARING CONCLUDED.

TOTAL TIME: :36