

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

Civil Action No. 13-cv-03429-REB-CBS

MARIE ACOSTA, individually and on behalf of others similarly situated,

Plaintiff,

v.

HEALTHCARE SERVICES GROUP, INC.,

Defendant.

**ORDER GRANTING DEFENDANT'S UNOPPOSED
MOTION TO DECERTIFY THE COLLECTIVE ACTION**

Blackburn, J.

The matter before me is defendant's **Unopposed Motion To Decertify the Collective Action** [#79],¹ filed November 4, 2014. The parties represent that they have mediated their dispute and agreed to proceed with settling (or alternatively, litigating) plaintiffs' claims on an individual basis.² The parties have not requested a hearing, and after reviewing the extensive submissions and the record, the court concludes that a hearing would not significantly assist in the determination of this matter.

Having reviewed the motion and being apprised of the arguments and authorities which inform the decision to decertify an FLSA collective action, the court concludes

¹ "[#79]" 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.

² This matter was conditionally certified as a collective action under the FLSA pursuant to the parties' agreement. (**See Order Granting Plaintiff's Unopposed Motion for Conditional Certification** [#37], filed March 21, 2014.) "Plaintiffs" in this instance refers to named plaintiff Marie Acosta as well as the 21 other Colorado employees who opted in to the suit.

that the motion is well-taken and should be granted.

THEREFORE, IT IS ORDERED as follows:

1. That defendant's **Unopposed Motion To Decertify the Collective Action** [#79], filed November 4, 2014, is **GRANTED**; and
2. That the collective action conditionally certified by this court's **Order Granting Plaintiff's Unopposed Motion for Conditional Certification ¶ 2 at 1-2** [#37], filed March 21, 2014, is **DECERTIFIED**.

Dated November 20, 2014, at Denver, Colorado.

BY THE COURT:



Robert E. Blackburn
United States District Judge