

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO**

Civil Action No.: 14-cv-00725-KMT

LUIS GALINDO on his own behalf and  
on behalf of all others similarly situated,

Plaintiff,

v.

CCRC, INC. d/b/a AGAVE MEXICO BISTRO  
AND TEQUILA HOUSE, M. DEL R.C., INC. and  
RENE CERVANTES, JR.

Defendants.

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**STIPULATED ORDER GRANTING PLAINTIFF'S MOTION TO PROCEED AS A  
COLLECTIVE ACTION [DOC. NO. 10]**

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This matter is before the court on Plaintiff's Motion to Proceed as a Collective Action [Doc. No. 10]. Having considered Defendants' Response to the Motion to Proceed as a Collective Action [Doc. No. 12], Plaintiff's Reply on the Motion to Proceed as a Collective Action [Doc. No. 17], and the parties' stipulations as described in Plaintiff's Reply [Doc. No. 17], and being otherwise fully advised in the premises, this Court grants the motion and enters appropriate orders. Therefore, it is

**ORDERED** as follows:

1. Plaintiff's Motion to Proceed as a Collective Action, for Court-authorized Notice and for Disclosure of the Names, Addresses and Dates of Employment of the Potential Opt-In Plaintiffs [Doc. No. 10] is GRANTED;

2. This case is conditionally certified to proceed as a “collective action” under 29 U.S.C. § 216(b) and that the class is defined as: “Current and former employees of CCRC, Inc., d/b/a Agave Mexico Bistro and Tequila House, M. Del R.C., Inc., d/b/a, La Mariposa-Lyons, and L.M.R.C., Inc., d/b/a La Mariposa-Longmont who worked on or after March 11, 2011”;

3. The Notice of Lawsuit [Doc. No. 17-1] is approved;

4. A sixty (60) day “opt-in period,” during which potential class members may choose to opt-in to this suit by returning a signed Consent Form to Plaintiff’s counsel, is approved;

5. Plaintiff shall deliver the approved Notice in English and Spanish, along with a postage paid return envelope addressed to Plaintiff’s counsel, to all potential class members via first-class U.S. Mail;

6. Plaintiff shall retain and make available for inspection all consent to join forms received, along with all postmarked envelopes, email, or fax-stamped receipts relating thereto;

7. Defendants shall include a copy of the approved Notice in English and Spanish in two consecutive pay envelopes of all putative class members currently employed by Defendants;

8. Defendants shall post the approved Notice in English and Spanish in conspicuous places at their places of business, except for the Lyons La Mariposa location;

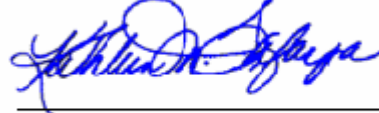
9. Defendants shall produce, within fourteen (14) days of date of this Order, a computer-readable data file in an agreed format, containing the names, addresses, telephone numbers and dates of employment of the potential class members;

10. Defendants and Plaintiff shall cooperate in translation of the Notice, and that Defendants shall conduct the initial translation and secure Plaintiff’s agreement as to the translation within twenty-one (21) days of the date of this Order.

11. fourteen (14) days after Defendants produce the requested document containing information pertaining to potential class members and Plaintiff agrees to the translation of the Notice, the “opt-in period” shall commence, Plaintiff shall mail the approved Notice, Defendants shall post the approved Notice pursuant to number 8 above, and Defendants shall begin including the approved Notice in all currently-employed putative class members’ pay envelopes as per number 7 above.

Dated this 10<sup>th</sup> day of July, 2014.

BY THE COURT:



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Kathleen M. Tafoya  
United States Magistrate Judge

Approved by:

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