

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF COLORADO  
Judge Christine M. Arguello**

Civil Action No. 15-cv-00703-CMA-NYW

MICHAEL DEMPSEY, Individually and On Behalf of All Others Similarly Situated,

Plaintiff,

v.

JASON'S PREMIER PUMPING SERVICES, LLC, and  
JASON HAUCK,

Defendants.

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**ORDER APPROVING JOINT STIPULATION TO FILING AMENDED COMPLAINT**

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Plaintiffs Michael Dempsey and David Weiler ("Plaintiffs") and Defendants Jason's Premier Pumping Service, LLC and Jason Hauck ("Defendants") (together, "Parties") filed a Joint Stipulation to Filing Amended Complaint. (Doc. # 45.) The Court approves such stipulation.

1. On October 1, 2015, the Parties reached an agreement that this action should be conditionally certified as a collective action under the Fair Labor Standards Act ("FLSA") and have agreed on the form and content of the Notice of Rights and Consent Form to send to potential class members.

2. In exchange for Defendants agreeing to conditionally certify this case as a collective action under the FLSA and agreeing to the form and content of the Notice of Rights and Consent Form to send to potential class members, Plaintiffs have agreed to

dismiss the state law claims under the Colorado Wage Claims Act as alleged in their Second Amended Complaint.

3. The deadline to amend pleadings was August 25, 2015.

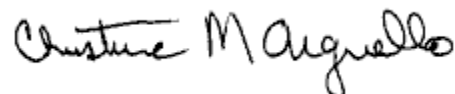
4. Although this deadline has passed, the Parties agree that amending the complaint to remove the state law claims is the most effective and efficient way to dismiss these claims at this stage of the case.

5. Defendants consent to the action of Plaintiffs filing an amended complaint and have approved of the Third Amended Complaint to be filed with the Court.

6. Therefore, Plaintiffs will file a Notice of Filing Amended Complaint pursuant to D.C. Colo. L. Civ. R. 15.1(a) with a redline version of the Third Amended Complaint attached. Plaintiffs' Third Amended Complaint will be the operative complaint in this action.

DATED: November 11, 2015

BY THE COURT:



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CHRISTINE M. ARGUELLO  
United States District Judge