

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

AARON SMITH, individually &
on behalf of similarly
situated,

Plaintiff,

v.

Case No: 2:14-cv-277-FtM-29DNF

CABLE WIRING SPECIALIST,
INC.,

Defendant.

ORDER

This matter comes before the Court on Plaintiff's Notice of Filing Revised Proposed Notice of Lawsuit (Doc. #23) filed on October 7, 2014. On July 29, 2014, Plaintiff filed a Motion for Conditional Certification and Facilitation of Court-Authorized Notice (Doc. #19). In its September 25, 2014 Order (Doc. #22), the Court granted conditional certification, noted certain deficiencies in Plaintiff's proposed notice, and directed Plaintiff to file a revised notice correcting those deficiencies. (Id.) Plaintiff filed its Revised Notice of Lawsuit (Doc. #23-1) on October 7, 2014, and Defendant was given until October 24, 2014 to file any objections. No objections were filed.

Having reviewed Plaintiff's Revised Notice of Lawsuit (Doc. #23-1), the Court will permit Plaintiff to provide it to putative

class members. However, the Court notes that Plaintiff's proposed Consent to Join Form (Doc. #19-3) must be modified to reflect that the Court defined the conditionally-certified class as "individuals who worked for Defendant as cable installers or technicians between May 20, 2011 and July 31, 2012, were paid a piece rate, and did not receive additional pay for all overtime hours worked in excess of forty within a work week." With that modification, the Court approves the Proposed Consent to Join Form.

Accordingly, it is hereby

ORDERED:

1. Counsel for Plaintiff is authorized to provide notice of this lawsuit to putative class members on or before November 14, 2014 pursuant to the Revised Notice of Lawsuit (Doc. #23-1) and Consent to Join Form (Doc. #19-3), as modified herein.

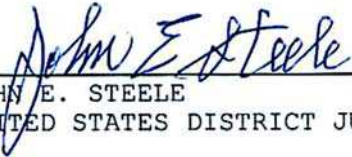
2. The Notice and Consent to Join Form shall be mailed via first class U.S. Mail, at the sole cost and expense of Plaintiff, to all putative class members.

3. Putative class members shall have until January 14, 2014 to complete and return Consent to Join Forms to Plaintiff's counsel.

4. From November 14, 2014 through January 14, 2014, Defendant shall post a copy of the Notice in each of its locations

where a putative class member is employed, in a conspicuous place where putative class members are likely to see it.

DONE and ORDERED at Fort Myers, Florida, this 31st day of October, 2014.



JOHN E. STEELE
UNITED STATES DISTRICT JUDGE

Copies:
Counsel of Record