

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

JERMAINE MADISON,

Plaintiff,

v.

Case No: 6:16-cv-1991-Orl-41DCI

**UNITED SITE SERVICES OF
FLORIDA, INC.,**

Defendant.

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ORDER

THIS CAUSE is before the Court on the parties' Revised Joint Stipulation for Conditional Certification of FLSA Collective (Doc. 32). United States Magistrate Judge Daniel C. Irick issued a Report and Recommendation (Doc. 33), in which he recommends that the motion be granted in part and denied in part.


After a *de novo* review of the record, and noting that no objections were timely filed, the Court agrees with the analysis in the Report and Recommendation. Therefore, it is **ORDERED** and **ADJUDGED** as follows:

1. The parties' Revised Joint Stipulation for Conditional Certification of FLSA Collective (Doc. 32) is **GRANTED in part** and **DENIED in part**.
2. The Report and Recommendation (Doc. 33) is **ADOPTED** and **CONFIRMED** and made a part of this Order.
3. This case is **CONDITIONALLY CERTIFIED** as a collective action for the following class: All service technicians and pick-up and delivery technicians who
1) worked at Defendant's Orlando location during the three years preceding the date of this Order and 2) who claim they were not paid all overtime wages owed as

a result of Defendant's automatic deduction of time for lunch breaks during which they worked.

4. Jermaine Madison is **APPOINTED** as class representative.
5. The Notice and Consent Form (Doc. 32-1) is **APPROVED**. The Notice shall be amended to base both (i) the date from which overtime claims may be asserted and (ii) the deadline to file consent forms, upon the date of this Order.
6. **On or before October 2, 2017**, Defendant shall provide Plaintiff with a list containing the name, last known address, hire and termination dates (if applicable), and last job title of all service technicians and pick-up and delivery technicians who worked at Defendant's Orlando location during the three years preceding the date of this Order.
7. **Within five days of receiving the above list**, Plaintiff shall send the approved Notice and Consent Form with a self-addressed return envelope to each putative class member via first class mail.
8. The motion is **DENIED** in all other respects.

DONE and ORDERED in Orlando, Florida on September 27, 2017.



CARLOS E. MENDOZA
UNITED STATES DISTRICT JUDGE

Copies furnished to:

Counsel of Record