

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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**CLAUDIO CABRERA,**

**Plaintiff,**

**ORDER**

**-against-**

**17-CV-2221 (MKB)**

**FROST RESTAURANT INC., et al.,**

**Defendants.**  
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This Court has reviewed the parties' Stipulation of Conditional Collective Certification and attachments, Docket Entry ("DE") #18, and requires the following modifications:

(1) Neither the Court Authorized Notice of Lawsuit (DE #18-1), nor the Consent to Become a Party Plaintiff (DE #18-2), clearly informs prospective opt-ins that they may retain their own attorneys or proceed *pro se*; nor do the documents provide the Court's address, where the Consents forms should be sent if an opt-in retains separate counsel or proceeds *pro se*.

(2) Part VII of the Court Authorized Notice of Lawsuit, and the Consent to Become a Party Plaintiff, do not make clear that in the event of a settlement, the one-third contingency fee may be deducted from the opt-in's settlement proceeds.

(3) Part V and the last paragraph of Part III of the Court Authorized Notice of Lawsuit do not alert the prospective opt-ins to the running of the statute of limitations.

The parties shall promptly confer and file amended documents, as described above.

**SO ORDERED.**

**Dated: Brooklyn, New York  
August 7, 2017**

/s/ *Roanne L. Mann*

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**ROANNE L. MANN  
CHIEF UNITED STATES MAGISTRATE JUDGE**