

IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

|                         |   |                |
|-------------------------|---|----------------|
| LINDA STONE,            | : | No. 3:14cv306  |
| Plaintiff               | : |                |
|                         | : | (Judge Munley) |
| v.                      | : |                |
|                         | : |                |
| TROY CONSTRUCTION, LLC, | : |                |
| Defendant               | : |                |

.....  
**ORDER**

**AND NOW**, to wit, this 1st day of December 2015, it is hereby **ORDERED** that plaintiff’s motion to certify collective action under the FLSA and class action under Rule 23 (Doc. 28) is **GRANTED**, to the extent that it is hereby **ORDERED** that:

1. The instant matter is conditionally certified as a collective action pursuant to the FLSA on behalf of all current and former non-exempt employees of defendant who, within the past three years, permanently resided within fifty miles of their worksite and received at least one per diem in a workweek in which they worked over forty hours;
2. The instant matter is certified as a class action pursuant to Rules 23(b)(2) and 23(b)(3) on behalf of all current and former non-exempt, employees of defendant who worked in Pennsylvania and who, within the past three years, permanently resided within fifty miles of their

worksite and received at least one per diem in a workweek in which they worked over forty hours;

3. Swartz Swidler, LLC is appointed class counsel and Linda Stone is appointed class representative;
4. Within 21 days of this Order, defendant shall provide to plaintiff, in electronic and importable format, a spreadsheet identifying all class members and containing, in separate columns, each individual's first name, last name, street address, city, state, zip code, and phone number; and
5. The parties shall confer regarding notice and procedures within fourteen (14) days of this Order, and shall submit, within thirty (30) days of this Order, a joint stipulation regarding notice and procedures, or a joint letter highlighting the areas in dispute.

**BY THE COURT:**

**s/James M. Munley**  
**JUDGE JAMES M. MUNLEY**  
**United States District Court**