

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

LUCIUS HIGH & CARLA HILGERT
on behalf of themselves and all other
similarly situated employees,

Plaintiffs,

v.

No.: 3:13-cv-0815

HOSPITAL AUTHORITY OF THE
METROPOLITAN GOVERNMENT OF
NASHVILLE AND DAVIDSON COUNTY
d/b/a NASHVILLE GENERAL HOSPITAL
AT MEHARRY,

JURY DEMAND
FLSA COLLECTIVE ACTION

Defendant.

AGREED ORDER

This Agreed Order is before the Court upon the agreement of the parties. Based on the parties agreements, the Court orders as follows:

1. To authorize this case to proceed as a collective action for alleged “off the clock” violations under the Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 216(b) and Tennessee state law, on behalf of non-exempt employees of Defendant during the last three years whose positions involved provision of patient care. Defendant reserves the right to address whether a 2-year or 3-year limitations period would apply under the FLSA. Plaintiff reserves the right to address whether a six year statute of limitation period applies for Plaintiff’s state law claims. Solely for the purpose of conditional certification, a 3-year notice period will be used.

2. To authorize the parties to use the Notice to potential opt-in plaintiffs in the form attached hereto as Exhibit A, which will be mailed to former employees of Defendant at the last

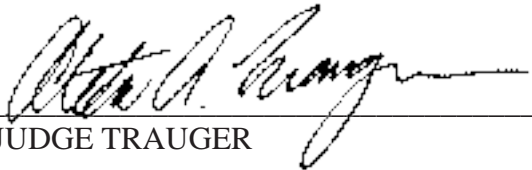
known addresses identified by Defendant's personnel records or as corrected by an online search. Notice will be mailed within 30 days of the Court authorizing the issuance of the Notice. The deadline for plaintiffs to opt in to this action shall be 60 days from the date that the Court authorizes issuance of the Notice.

3. To issue an Order tolling the statute of limitations for those opt-in plaintiffs who have not yet filed consents to join this action as of the date this Joint Motion is granted by the Court, so long as they file a Consent within the time period provided in the Notice.

4. To issue an Order that the opt-in plaintiffs' Consent forms be deemed "filed" on the date that they are postmarked.

IT IS SO ORDERED.

12/17/13
Date: _____



JUDGE TRAUGER

APPROVED FOR ENTRY:

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