

1 THE HONORABLE JOHN C. COUGHENOUR

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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

9 GARY KIRKWOOD, on behalf of himself  
10 and others similarly situated,

11 Plaintiff,

12 v.

13 NOBLE FOOD GROUP, INC., *et al.*,

14 Defendants.

CASE NO. C18-0360-JCC

ORDER

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16 This matter comes before the Court on the parties' stipulated motion to approve the form  
17 of notice of a collective action and stay litigation pending mediation (Dkt. No. 12). Having  
18 thoroughly considered the parties' briefing and the relevant record, and finding good cause, the  
19 Court GRANTS the motion. The Court hereby ORDERS as follows:

- 20 1. The case is conditionally certified as a collective action pursuant to 29 U.S.C. § 216(b).  
21 2. The parties' proposed Notice of Collective Action Lawsuit (Dkt. No. 12-1 at 2-5) is  
22 APPROVED. The notice SHALL be sent to all current and former delivery drivers employed by  
23 Defendants within the three years preceding the date of this order.  
24 3. This proceeding and all pleadings (including Defendants' deadline to respond to the  
25 Complaint and forthcoming Amended Complaint) are STAYED for 180 days. The Clerk is  
26 DIRECTED to statistically close this case for the duration of the stay.

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1 4. The status conference scheduled for July 31, 2018 (Dkt. No. 9) is VACATED.

2 5. All further stipulations and agreements between the parties as set forth in the stipulated  
3 motion (Dkt. No. 12) are APPROVED. The parties are ORDERED to adhere to these  
4 stipulations and agreements, subject to further order of the Court.

5 DATED this 4th day of May 2018.

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9 John C. Coughenour  
10 UNITED STATES DISTRICT JUDGE