

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW OF NEW JERSEY**

JANE DOE 1, and JANE DOE 2,
individually and on behalf of all others
similarly situated,

Plaintiffs,

- versus -

BLOOMBERG L.P.,

Defendant.

Case No.: 3:19-CV-09471

**STIPULATION REGARDING COLLECTIVE ACTION NOTICE TO PUTATIVE
CLASS MEMBERS WHO WORK OR HAVE WORKED IN NEW YORK**

WHEREAS, Plaintiffs commenced this putative collective action under the Fair Labor Standards Act (“FLSA”) and New Jersey class action on April 10, 2019;

WHEREAS, Plaintiffs moved for conditional certification of a collective action and the issuance of notice under the FLSA pursuant to 29 U.S.C. § 216(b) by motion dated August 1, 2019 (Dkt. 20);

WHEREAS, Defendant opposed Plaintiffs’ motion for conditional certification on August 20, 2019 (Dkt. 34);

WHEREAS, the parties have since then engaged in settlement discussions;

WHEREAS, at the parties’ request, Judge Tonianne J. Bongiovanni referred this matter to mediation and all proceedings are stayed until May 18, 2020 (Dkt. 55);

WHEREAS, the parties are scheduled for a mediation with Michael Dickstein on April 27, 2020; and,

WHEREAS, in the interest of facilitating settlement discussions, the parties have

reached agreement regarding the issuance of collective action notice to putative class members who work or have worked in New York.

The parties hereby stipulate to, and the Court ORDERS, the following:

1. In the interest of furthering settlement discussions the parties agree that a FLSA collective action with respect to New York class should be conditionally certified;

2. Notice shall be sent to current and former Global Data employees of Defendant who worked in New York as Data Analysts, Data Specialists, or related titles, and who were not paid time and one-half for hours over 40 worked in one or more weeks (the “New York Putative FLSA Class”) over the past three years;

3. The parties have negotiated the form of FLSA notice (“Notice”) and consent to join form (“Consent”) appended hereto as Exhibit A.

4. By so ordering this Stipulation, the Court shall be deemed to have approved the attached § 216(b) Notice and Consent;

5. In order to facilitate the Notice, the following shall occur:

- a. Within ten (10) business days of the Court’s Order, Defendant shall supply to Plaintiffs the contact information of the New York Putative FLSA Class referenced above which shall include to the extent known by Defendants: The last known address, telephone number, e-mail address, and last four digits of the Social Security Number.
- b. Within ten (10) business days of Defendant’s production of the New York Putative Class, the Notice and Consent, shall be distributed by Plaintiffs’ Counsel via First Class Mail together with a stamped return envelope addressed to Plaintiffs’ Counsel.

- c. Plaintiffs' counsel shall also issue the Notice via email.
- d. As will be set forth in the Notice, the putative participants in this action identified above shall have sixty (60) days from the mailing of the Notice to join this action by filing their Consent.
- e. If a Notice to an individual is returned undeliverable, Plaintiffs' counsel may contact any individual whose notice is returned as undeliverable for the purpose of obtaining a current address for re-mailing of the notice or if necessary make skip traces using the individual's Social Security Number or other information to identify a subsequent address, and send an additional Notice and Consent mailing to that address via First Class Mail.
- f. Opt-in forms shall be returned to Plaintiffs' Counsel.
- g. Plaintiffs' counsel shall be permitted to mail a reminder postcard 21 days before the expiration of the opt-in period to individuals that have not returned a Consent. The reminder postcard, attached as Exhibit B, is approved.
- h. Defendant reserves its right to oppose certification of any broader FLSA collective action and its right to decertify any conditionally certified collective action.

Date: March 11, 2020

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SO ORDERED:

Honorable Tonianne J. Bongiovanni, United States Magistrate Judge.

Dated: _____, 2020