

**UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF WISCONSIN**

Eric R. Brandt,

Plaintiff,

v.

Schneider National, Inc., Schneider National  
Carriers, Inc., Schneider Finance, Inc., & DOE  
Defendants 1-10,

Defendants.

Case No. 1:20-cv-01049-WCG

Judge William C. Griesbach

**PLAINTIFF'S MOTION TO CONDITIONALLY CERTIFY FLSA COLLECTIVE  
ACTION, FOR ISSUANCE OF NOTICE, AND FOR EQUITABLE ESTOPPEL  
REGARDING THE LIMITATIONS PERIOD**

Now comes Plaintiff Brant who move this Court, pursuant to 29 U.S.C. § 216(b), for an Order conditionally certifying this action as an FLSA collective action and authorizing notice of this action and the right to opt-into it to the following persons:

All individuals who drove trucks for Schneider National, Inc. and any of its subsidiary, related, or affiliated companies pursuant to an Owner-Operator Operating Agreement at any time during the period December 2013 to the present.

Plaintiff also moves for an Order approving the proposed Notice and Opt-In Form, reminder postcard, and Qualcomm notice attached to this Motion as Exhibit A, B, and C, giving class members 120 days to file their consent to sue forms with the Court, and authorizing Plaintiff to disseminate the notice in the following manner:

- (a) Mail and email the notice and opt-in form (attached hereto as Exhibit A) within 10 days of receiving the necessary contact information from Defendants to the addresses provided;

- (b) Mail and email reminder notices (attached hereto as Exhibit B) to collective action members who have not opted-in or otherwise responded within 60 days of the initial mailing.
- (c) Authorizing resending of any notice that is returned because the address is incorrect should Plaintiff discover more up-to-date addresses.

To assist with dissemination of the Notice, Plaintiff moves the Court to Order Defendants to:

- (a) Provide Plaintiffs' counsel within 14 days the following information for each of the individuals described in the collective action definition above: first name, last name, street address, city, state, zip, email address, and a unique employee identification number. The information should be provided in an electronic spreadsheet format such as Excel, with each item of information contained in a separate column:
- (b) Order Defendants to produce the last four digits of the social security number and telephone number for any collective member whose notice is returned because the address is incorrect so that Plaintiff can attempt to find the proper address and re-issue notice.
- (c) Order Defendants to issue a short statement (attached hereto as Ex. C) through its Qualcomm communication system to collective members currently working for Defendants indicating that a lawsuit that may affect them has been filed and indicating where they can obtain a copy of the notice.

Plaintiff also moves this Court equitably estop Defendants from claiming statute of limitations as a defense to claims from October 10, 2014 to the present as a result of the illegal, deceptive, and coercive provisions set forth in ¶¶ 8(e), 8(f), and/or ¶ 24(e) of the OA.

In support of this Motion, Plaintiff refers the Court to their memorandum of law

submitted herewith.

Respectfully submitted this 20th day of November, 2020.

By: /s/ *Michael J.D. Sweeney*

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