

**IN THE U.S. DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

Michael A. Scott

*

*On behalf of himself and
others similarly situated*

*

*

Plaintiff

*

v.

Case No. 1:21-CV-00034-SAG

*

Baltimore County

*

Defendant

*

/

ORDER

AND NOW, this 26th day of April, 2021, upon consideration of Plaintiff's Unopposed Motion To Conditionally Certify A Collective Action And For Approval And Facilitation Of Notice, it is hereby ORDERED AND DECREED that Plaintiff's Unopposed Motion is GRANTED and Plaintiff may conditionally proceed with Count I and II of the Complaint as a Collective Action. The Court conditionally certifies a collective action pursuant to the Federal Fair Labor Standards Act ("FLSA"), 29 U.S.C. § 216(b); and

IT IS FURTHER ORDERED, that the following class is conditionally certified:

Workers who, within the last three years of filing this lawsuit, have performed work for Baltimore County's Department of Public Works at its Materials Recovery Facility in Cockeysville, Maryland through the work detail program of Baltimore County's Department of Corrections, and who have not received at least \$7.25/hour (and \$10.87/hour when working over 40 hours in a single workweek)) for their labor.

IT IS FURTHER ORDERED that the proposed Class Notice is approved and shall be signed by the Court. Plaintiff's counsel shall include a deadline date in the Class Notice which shall be sixty (60) days from the date of the original U.S. mailing by Plaintiff's counsel and shall

provide a copy of the finalized notice to Defendants' counsel; and

IT IS FURTHER ORDERED that Defendant shall produce, within thirty (30) days of this Order, a computer readable list of all class members, as defined above, who have performed work since January 5, 2018, which shall include the first and last name of each person who held such a position and last known mailing address; and

IT IS FURTHER ORDERED that upon receipt of the contact information, Plaintiff's counsel shall promptly send a copy of the Class Notice and Opt-In Form to all potential class members by first class U.S. mail and email; and

IT IS FURTHER ORDERED that the proposed Opt-In Notice is approved, and the Court further approves Plaintiff's request to allow execution of the Opt-In Form by electronic signature via the "DocuSign" electronic signature process;

IT IS FURTHER ORDERED that if mailed Class Notices are returned to Plaintiffs' counsel as undeliverable for any reason, upon a showing to Defendants, Defendants shall furnish to Plaintiff's counsel within three (3) business days the cell phone number of the individual whose mail was returned; and

IT IS FURTHER ORDERED that if Plaintiff's counsel receives a Class Notice returned for any reason as undeliverable, Plaintiff's counsel shall attempt to send the Class Notice and Opt-In Form via automated call/text message; and

IT IS FURTHER ORDERED that potential collective action class members shall have sixty (60) days from the date of the original U.S. mailing by Plaintiff's counsel to file an Opt-In Notice with the Court.

By the Court:

/s/

Hon. Stephanie A. Gallagher

cc: Clerk's Office
Counsel of Record