IN THE UNITED STATES DISTRICT COURT FOR THE MIDDLE DISTRICT OF PENNSYLVANIA

FRANCIS CREVATAS, et al.

v.

SMITH MANAGEMENT AND CONSULTING, LLC.

3:15-cv-02307-MEM

STIPULATION AND ORDER

WHEREAS, on June 27, 2016, the Court entered an Order (Doc. 22) conditionally certifying this FLSA collective action and approving the process by which potential opt-in plaintiffs would be notified of this action and provided with an opportunity to join pursuant to 29 U.S.C. § 216(b); and

WHEREAS, the Court's June 27th Order required that, after the close of the FLSA opt-in period, the parties "provide the Court with a proposed schedule for the remainder of this litigation," Doc. 22 at ¶ 8; and

WHEREAS, the FLSA opt-in period has now expired and twenty-six $(26)^1$

individuals have submitted timely opt-in consent forms, *see* Docs. 23-31, bringing the total number of plaintiffs to twenty-eight (28), *see* Docs. 3, 7; and

WHEREAS, the parties have conferred and agreed upon a proposed schedule;

¹ One opt-in plaintiff, Stephen LaFosse Jr., asked that his consent form be withdrawn from the case. *See* Doc. 32.

NOW, THEREFORE, it is hereby STIPULATED as follows:

 All discovery (including expert discovery) must be completed by January 20, 2017.

2. Plaintiffs shall identify and disclose all expert witnesses and any expert reports on or before December 9, 2016.

3. Defendant shall identify and disclose all expert witnesses and any expert reports on or before January 6, 2017.

4. Any motion by Defendant to decertify the FLSA collective must be filed on or before February 10, 2017. The briefing schedule for responding to such a motion shall proceed in accordance with the Court's Local Rules of Civil Procedure.

Any dispositive motions must be filed on or before February 24, 2017.
The briefing schedule for responding to such a motion shall proceed in accordance with the Court's Local Rules of Civil Procedure.

6. Further scheduling is deferred until after the Court either resolves any motions filed in accordance with paragraphs 4 or 5 or is informed that no such motions will be filed.

AGREED:

<u>/s/ R. Andrew Santillo</u> For Plaintiffs September 7, 2016 Date <u>/s/ Sean P. McConnell</u> For Defendant September 7, 2016 Date

SO ORDERED:

HON. MALACHY E. MANNION

Date