

**IN THE UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF NEW JERSEY**

PHILLIP KARALI and GREGORY
SHELLEY, on behalf of themselves and
all others similarly situated,

Plaintiffs,

v.

Branch Banking and Trust Company;
DOES 1-10, INCLUSIVE,
Defendants.

Civil. No. 3:16-cv-02093-BRM-
TJB

Judge Brian R. Martinotti
Magistrate Judge Tonianne J.
Bongiovanni

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**ORDER APPROVING JOINT STIPULATION TO CONDITIONAL
CERTIFICATION AND AMENDED PROPOSED NOTICE
UNDER THE FAIR LABOR STANDARDS ACT**

Before the Court is a Joint Stipulation to Conditional Certification and Amended Proposed Notice under the Fair Labor Standards Act (“Stipulation”) made by and between Defendant Branch Banking and Trust Company (“Defendant”), on the one hand, and Plaintiffs Phillip Karali and Gregory Shelley (“Plaintiffs”), on the other hand, through their undersigned counsel.

Plaintiffs seek to certify the following class:

All Persons who have been employed by Defendants as Appraisers, including employees with the job titles “Appraisal Review Officer” and “Real Estate Evaluator” and any other employee performing the same or similar duties for Defendants, within the United States at any time starting three years prior to the filing of this Complaint [April 15, 2016] in this action until the final disposition of this case.

(See ECF No. 1 (Collective Action Compl.) at ¶ 27). The parties have stipulated that the Proposed Collective Class does not include as Potential Class Members Defendant’s current or former employees who served in the position of Appraisal Review Officer Manager and / or Appraisal Review Officer Regional Manager during the time period(s) he or she served in that role.

Having reviewed the Stipulation of the parties, and good cause showing therein, the Court hereby approves the Stipulation and the Amended Proposed Notice and Consent Form attached as Exhibit 1 to the Stipulation. The Court **ORDERS** that Notice to the Proposed Collective Class shall be as follows:

Within ten (10) days of this Order, Defendant shall disclose, in Excel format, the names, last known mail and email addresses, dates and places of employment with Defendant, and position(s) held of all members of the Proposed Collective Class, as defined in Paragraph 27 of the Complaint and the Stipulation. The names, last known mail and email addresses, dates and places of employment with Defendant, and position(s) held of the Defendant's current or former employees who exclusively served in the position of Appraisal Review Officer Manager and / or Appraisal Review Officer Regional Manager during the time period of April 15, 2013 to present shall not be disclosed as a member of the Proposed Collective Class.

Within twenty (20) days of receipt of such list, Plaintiffs' Counsel shall mail and email a copy of the Court-approved Notice and Consent form to the Potential Class Members. Because Defendant's current or former employees who exclusively served in the position of Appraisal Review Officer Manager and / or Appraisal Review Officer Regional Manager during the time period of April 15, 2013 to present are not Potential Class Members, the Court-approved Notice and Consent form will not be issued to these individuals.

The Potential Class Members shall have seventy (70) days from the mailing of such Notice to postmark or email their signed Consent forms for filing with the Court. Plaintiffs' Counsel is authorized to mail and email a second identical copy of the Notice and Consent Form to the Potential Class Members after the expiration of fifty (50) days from the day that the original notice is mailed or emailed.

IT IS SO ORDERED

Dated: May 9, 2017, 2017

/s/ Brian R. Martinotti

HON. BRIAN R. MARTINOTTI
UNITED STATES DISTRICT COURT