

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

CAROL L. SPRINGMAN AUSTIN,
on behalf of herself and all others similarly situated,

Plaintiff,

v.

CUNA MUTUAL INSURANCE GROUP and
CUNA MUTUAL GROUP,

Defendants.

ORDER

05-C-692-C

This is a civil action for monetary relief under the Fair Labor Standards Act, 29 U.S.C. § 207(a). Plaintiff Carol Springman Austin alleges that defendant CUNA Mutual Insurance Group and CUNA Mutual Group have wrongfully denied her and other similarly situated employees wages and overtime compensation. Jurisdiction is present. 28 U.S.C. § 1331.

Presently before the court is a document entitled “Plaintiff’s Motion for Court Facilitation of Notice.” In her motion, plaintiff requests this court’s approval of a written notice to be sent to similarly situated individuals and an order directing defendants to identify those individuals. Plaintiff identifies the similarly situated employees as follows:

“All Law Specialist employees of CUNA Mutual Insurance Society or CUNA Mutual Group employed at any time during the period November 18, 2002 forward, including those previously titled “Executive Assistant” and retitled as “Law Specialist I” in 2004, and those titled as “Law Specialist I,” “Law Specialist II,” “Law Specialist III,” “Law Specialist-Case Manager,” “Senior Law Specialist,” and “Managing Law Specialist.”

A plaintiff in an action commenced pursuant to § 216 has a right to notify similarly situated individuals and district courts have a “modest duty” to facilitate this process. Woods v. New York Life Ins. Co., 686 F.2d 578, 580 (7th Cir. 1982). As part of that duty, district courts can order defendant employers to disclose the names and address of individuals who may be similarly situated to the representative plaintiff. Because the names and addresses of the individuals who meet the above-mentioned criteria are likely to be in defendants’ possession, I will order them to disclose the names and addresses to plaintiff. In addition, I will give defendants the opportunity to lodge any objections to plaintiff’s proposed notice. Pending an appearance by defendants in this court, plaintiff is responsible for serving a copy of this order on defendants.

ORDER

IT IS ORDERED that plaintiff’s motion for facilitation of notice is GRANTED IN PART; defendants may have until December 15, 2005, to turn over to plaintiff the names

and addresses of all of their Law Specialist employees employed at any time during the period November 18, 2002 forward, including those previously titled “Executive Assistant” and retitled as “Law Specialist I” in 2004, and those titled as “Law Specialist I,” “Law Specialist II,” “Law Specialist III,” “Law Specialist-Case Manager,” “Senior Law Specialist,” and “Managing Law Specialist.” FURTHER, IT IS ORDERED that defendants may have until December 15, 2005 to file any objections to plaintiff’s proposed notice.

Entered this 29th day of November, 2005.

BY THE COURT:
/s/
BARBARA B. CRABB
District Judge