

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA
INDIANAPOLIS DIVISION**

WENDI R. MORSE and FELICIA KAY)	
PENNINGTON individually and on)	
behalf of others similarly situated,)	
)	
Plaintiffs,)	
)	
v.)	CAUSE NO: 1:08-cv-1389 WTL-JMS
)	
MER CORPORATION d/b/a DANCERS)	
SHOWCLUB,)	
)	
Defendant.)	

ORDER GRANTING PLAINTIFFS’ MOTION FOR NOTICE TO POTENTIAL PLAINTIFFS AND CONDITIONAL CERTIFICATION

Before the Court is Plaintiffs’ Motion for Notice to Potential Plaintiffs and Conditional Certification. The Court, having considered the Motion, is of the opinion the Motion should be, and hereby is, GRANTED. The Court conditionally certifies this matter as a collective action and ORDERS as follows:

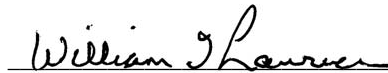
Defendant is ordered to produce the names, home addresses, home telephone numbers, social security numbers, and dates of birth (“Employee Information”) of all current and former Entertainers of Defendant from three years prior to the date of this Order to the present. Defendant shall provide the Employee Information, in usable electronic form (to reduce any delays in sending out Notices), within 11 days from the entry of the Court’s Order.

The Court authorizes that the proposed Notice to Potential Plaintiffs submitted by Plaintiffs (Exhibit D) may be immediately issued to those individuals whose names are being provided as required by this Order. The Notice shall be mailed within seven (7) business days

after Defendant provides the Employee Information. The Consent to Join form submitted by Plaintiffs as Exhibit E to the Motion shall be enclosed with the Notice to Potential Plaintiffs, along with a self-addressed, postage paid return envelope. Plaintiffs are permitted to send subsequent mailings of this Notice. The Notice and Consent forms shall be mailed by first class mail or overnight delivery.

The Potential Plaintiffs shall be provided sixty (60) days after the deadline for mailing of the Notice to Potential Plaintiffs to file a Consent to Join form opting-in to this litigation, unless the Parties agree to permit late filings or good cause can be shown as to why the Consent was not filed prior to the deadline. Plaintiffs shall provide the Court and opposing counsel with a notice indicating the date in which the Notice forms were mailed.

Signed this 7th day of January, 2009.

A handwritten signature in cursive script that reads "William T. Lawrence". The signature is written in black ink and is positioned above the printed name and title.

Hon. William T. Lawrence, Judge
United States District Court
Southern District of Indiana