

**IN THE UNITED STATES DISTRICT COURT  
DISTRICT OF KANSAS**

**MARLON ROBERTSON, individually,** )  
**and on behalf of all others similarly** )  
**situated,** )  
) )  
**Plaintiff,** )  
**v.** )

**VVF INTERVEST, LLC, VVF KANSAS,** )  
**LLC, & VVF KANSAS SERVICES, LLC,** )  
) )  
**Defendants.** )

**Case No. 2:21-cv-02507**

**ORDER**

On June 13, 2022, Plaintiff Marlon Robertson (“Plaintiff”) and Defendants VVF Invest, LLC (“VVF Invest”), VVF Kansas, LLC (“VVF Kansas”), and VVF Kansas Services, LLC (“VVF Kansas Services”) (collectively, “Defendants”), through counsel, jointly filed Parties’ Joint Motion to Conditionally Certify the Class and Authorize Issuance of Send Class Notice (Doc. 31) requesting that the Court 1) conditionally certify the class; 2) approve the Parties plan to provide notice of the collective action; 3) approve the Parties’ Notice to the Class (Exhibit A to Doc. 31); and 4) toll the statute of limitations during the notice period, all by agreement of the Parties.

The Court hereby orders as follows:

- 1) The following Class is conditionally certified as follows for the purpose of sending notice:

Current and former non-exempt hourly employees who were employed by VVF at its Kansas facility any time from November 2, 2018 through the present.

- 2) The Parties’ Notice to the Class attached as Exhibit A to the Parties’ joint motion is approved and to be sent to the Class;
- 3) The statute of limitations for Class members that opt-in and submit Consent to Join is tolled, by the Parties’ agreement; and

4) Discovery is stayed until after the deadline for Plaintiff to file the Consent to Join from Class members.

5) The following deadlines apply:

Event	Deadline
Defendant to identify scope of the class	14 days after entry of this Order
Parties Retain Class Administrator	30 days after Defendant identifies scope of the class
Defendants to provide class list to Class Administrator	7 days after Parties retain Class Administrator
Class Administrator to send initial notice to Class via U.S. Mail and email. Defendants to post notice at their locations.	21 days after Defendants provides class list to Class Administrator
Class Administrator to send email reminder for class about the opt-in deadline	30 days after Class Administrator send initial notice to the Class
Deadline to opt-in	45 days after Class Administrator sends initial notice
Deadline for Plaintiff to file consent to join	14 days after the deadline for the Class to opt-in

IT IS THEREFORE ORDERED, the Parties' Joint Motion to Conditionally

Certify the Class, Doc. 31, is hereby GRANTED.

IT IS SO ORDERED.

Dated this 17th day of June, 2022, at Wichita, Kansas.



Hon. Eric F. Melgren  
Chief United States District Judge