

ROY RENFRO, et al.,
individually and on behalf of
others similarly situated,

Plaintiffs,

v.

SPARTAN COMPUTER
SERVICES, INC., et al.,

Defendants.

No. 06-2284-KHV

Plaintiffs bring suit against Spartan Computer Services, Inc. (“SCS”), Jack Steenhausen, SCS president, and Terry Connorton, SCS vice president, on behalf of themselves and others similarly situated seeking recovery of unpaid overtime under the Fair Labor Standards Act of 1938 (“FLSA”), 29 U.S.C. § 201 et seq. On June 20, 2007, the Court conditionally certified this case as a collective action under Section 216 (b) of the FLSA and ordered plaintiffs to submit for approval a proposed notice and consent form. See Memorandum And Order (Doc. #84) at 8-9. The Court has now received plaintiffs’ proposed notice and consent form, see Exhibits A and B attached to Notice Of Filing Of Proposed Notice (Doc. #85) filed July 2, 2007, defendants’ objections to those documents, see Defendants’ Objections To Plaintiffs’ Proposed Notice And Consent Form For Prospective Class Members (Doc. #87) filed July 17, 2007, and plaintiffs’ revisions to the proposed notice and consent form, see Exhibit 1 attached to Plaintiffs’ Response To Defendants’ Objections To Plaintiffs’ Proposed Notice And Consent Form For Prospective Class Members (Doc. #89) filed July 25, 2007.

Under the FLSA, the Court has the power and the duty to ensure fair and accurate notice, but it

should not alter plaintiffs' proposed notice unless such alteration is necessary. See Heitmann v. City of Chicago, No. 04-C-3304, 2004 WL 1718420, at *3 (N.D. Ill. July 30, 2004), cited in Gieseke v. First Horizon Home Loan Corp., No. 04-2511-CM, 2006 WL 2919076, at *1 (D. Kan. Oct. 11, 2006). Here, the Court is satisfied that plaintiffs' revised notice and consent form constitute a fair and impartial explanation of the case and the options available to prospective class members. The Court therefore approves the revised notice and consent form which is attached as Exhibit 1 to Plaintiffs' Response To Defendants' Objections To Plaintiffs' Proposed Notice And Consent Form For Prospective Class Members (Doc. #89). As soon as practicable, plaintiffs shall disseminate the notice and consent form to potential class members described in the Court's previous order conditionally certifying the case as a collective action. See Memorandum And Order (Doc. #84).

IT IS SO ORDERED.

Dated this 10th day of August, 2007 at Kansas City, Kansas.

s/ Kathryn H. Vratil
Kathryn H. Vratil
United States District Judge