

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

**STEPHEN J. DUARTE,**

**Plaintiff,**

**vs.**

**PPG INDUSTRIES, INC.,**

**Defendant.**

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**Case No. 09-CV-1366-JTM-DWB**

**ORDER**

NOW on this 14<sup>th</sup> day of January, 2010, this matter comes before the undersigned magistrate judge<sup>1</sup> on the parties Stipulation and Joint Motion for Conditional Certification of Class Claims Under 29 U.S.C. § 216(B) (Doc. 17).

After review of the Stipulation and Joint Motion, and for good cause shown, the court finds that the parties' Stipulation and Joint Motion for Conditional Certification should be and is hereby approved and the motion is GRANTED. Notice and Consent procedures shall be governed according to the terms of the parties' Stipulation and Joint Motion. (Doc. 17).

**IT IS SO ORDERED.**

**Dated January 14, 2010.**

**s/ DONALD W. BOSTWICK**

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**United States Magistrate Judge**

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<sup>1</sup> While a magistrate judge does not have the authority to approve final orders of class certification, that does not prevent a magistrate judge from entering orders granting conditional certification of a class under the Fair Labor Standards Act, 29 U.S.C. § 216(B). *See Poreda v. Boise Cascade, L.L.C.*, 532 F.Supp.2d 234 (D.Mass. 2008); *Barrus v. Dick's Sporting Goods, Inc.*, 465 F.Supp.2d 224 (W.D.N.Y. 2006); *Patton v. Thomson Corp.*, 364 F.Supp.2d 263 (E.D.N.Y. 2005).