

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

NADEYAH JONES, individually, and on  
behalf of others similarly situated,  
*Plaintiffs,*

v.

CARECENTRIX, INC.,  
*Defendant.*

No. 3:23-cv-1071 (VAB)

**ORDER**

On August 10, 2023, Nadeyah Jones (“Plaintiff”) filed a Complaint, on behalf of herself and others similarly situated, against CareCentrix (“Defendant”) (together “Parties”) alleging violations of the Fair Labor Standards Act (“FLSA”) (“Count I”), breach of contract (“Count II”), and unjust enrichment (“Count III”). ECF No. 1.

On April 8th, 2024, Ms. Jones filed a motion for conditional collective certification with respect to Count I. ECF No. 44.

On September 23, 2024, the Parties filed a Joint Stipulation regarding Plaintiff’s voluntary dismissal of claims, the conditional collective certification, and pre-certification discovery. ECF No. 62

In light of the Parties’ Joint Stipulation, the motion for conditional collective certification, ECF No. 44, is **GRANTED** in part and **DENIED** in part.

Consistent with the Parties’ Joint Stipulation, a narrower collective of individuals will be conditionally certified than originally sought in the motion for conditional collective certification.

Plaintiff’s bonus-pay claim of Count I, and all claims from Count II and Count III are **dismissed with prejudice**.

**I. Dismissal of Claims**

Based on Plaintiff's voluntary dismissal of claims under Rule 41(a)(1)(A)(ii) of the Federal Rules of Civil Procedure, the bonus-pay claim in Count I and all Count II and Count III claims are dismissed with prejudice.

The off-the-clock work claim of Count I remains operative.

**II. Conditional Collective Certification**

Based on the Joint Stipulation, the Court finds appropriate and order:

1. The conditional certification of this case as a collective action, in accordance with 29 U.S.C. § 216(b), with respect to Plaintiff's claim from Count I involving pre- and post-shift, off-the-clock work.
2. The collective is defined as and composed of: "All current and former Patient Advocates who were employed by CareCentrix at any time during the past three years."
3. Plaintiff is authorized to use the proposed form of notice and consent forms (Exhibits A and B of the Joint Stipulation), and give notice of FLSA claims by the U.S. Mail, email and text message.
4. Plaintiff's counsel are appointed as counsel for the collective.
5. Members of the collective have sixty (60) days to join this case, measured from the date the Court-authorized notice is sent, with one reminder e-mail and text message sent thirty (30) days thereafter to anyone who has not responded.
6. Plaintiff's counsel may only utilize the phone numbers and e-mail addresses of putative class members to distribute the text message and e-mail notices and may not initiate text messages or e-mails with prospective opt-ins for other reasons.

7. Plaintiff's counsel must preserve any communications if prospective opt-in plaintiffs initiate text messages or e-mails in response to the notices.
8. Plaintiff's counsel may not initiate phone calls with prospective opt-in plaintiffs and may only speak with potential opt-in plaintiffs on the phone if those individuals initiate phone conversation with Plaintiff's counsel.

### **III. The Remaining Schedule for the Case**

Based on the Joint Stipulation, the Court adopts the following deadlines:

- Within fifteen (15) days of the Court's approval of the conditional certification of the Proposed FLSA Collective, CareCentrix will identify all putative collective members and provide to Plaintiff's counsel a list of their names, last known addresses, dates and location(s) of employment, phone numbers, and e-mail addresses, in electronic and importable format;
- Within fifteen (15) days of receipt of the data described in the preceding paragraph, Plaintiff will send notice to putative members of the Proposed FLSA Collective via U.S. Mail, e-mail, and text message;
- Putative members of the Proposed FLSA Collective will have sixty (60) days to join this case, measured from the date the Court-authorized notice is sent, with one reminder e-mail and text message sent thirty (30) days thereafter to any individual who did not respond;
- Plaintiff shall identify and disclose each person whom Plaintiff expects to call as an expert witness at trial within two (2) months after the sixty-day opt-in period ends;
- CareCentrix shall identify and disclose each person whom CareCentrix expects to call as an expert witness at trial within three (3) months after the sixty-day opt-in period ends;

- Discovery shall be completed within six (6) months after the sixty-day opt-in period ends;
- CareCentrix's motion to decertify the collective action shall be filed within thirty-five (35) days after the deadline for completion of discovery; and
- All motions for summary judgment shall be filed within thirty-five (35) days after the deadline for completion of discovery.

Due to the conditional certification and above schedule, the Court rescinds its August 6, 2024 Order, ECF No. 59.

**SO ORDERED** at New Haven, Connecticut, this 4th day of October, 2024.

/s/ Victor A. Bolden  
Victor A. Bolden  
United States District Judge