

IN THE UNITED STATES DISTRICT COURT

JUN 2 2003

FOR THE DISTRICT OF IDAHO

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INDEXED \_\_\_\_\_ FILED \_\_\_\_\_  
CLERK OF DISTRICT COURT

KIMBERLEY SMITH, MICHAEL B.  
HINCKLEY, JACQUELINE T. HLADUN,  
MARLYN J. CRAIG, JEFFERY P.  
CLEVINGER, and TIMOTHY C.  
KAUFMANN, individually and on behalf of  
those similarly situated,

Plaintiffs,

vs.

MICRON ELECTRONICS, INC., a  
Minnesota corporation,

Defendant.

Case No. CIV 01-0244-S-BLW

**ORDER REGARDING SECOND ROUND  
OF NOTICES**

The Court having reviewed Plaintiffs' Motion for Approval of Second Round of Notices and Defendant's Response thereto, and good cause appearing therefor;

IT IS HEREBY ORDERED as follows:

(1) That the forms of the "Notice of Right to Join Collective Action," the cover letter, the "Consent to Join Collective Action," and the envelope (collective, the "Second Notice Package") are hereby authorized and approved.

(2) Plaintiffs are directed to cause the Second Notice Package to be mailed on ~~June 2~~<sup>JULY 1</sup>, 2003 to those 128 individuals who did not receive the first notice package and whose packages were returned as undeliverable.

(3) Plaintiffs also are directed to maintain a list of those 128 individuals to receive the Second Notice Packages, including their names and addresses. Plaintiffs' counsel also shall keep

**ORDER REGARDING SECOND ROUND OF NOTICES - 1**

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on file and in trust for inspection at any time upon request of the Court, Defendant or their designees, during the pendency of this action, a complete copy of the Second Notice Package, any returned consent forms with original envelopes setting forth the postmark date, and any Notice Packages that are returned.

(4) This is the final mailing of notice in this case. No further mailings of notice packages are to be sent, even if returned as undeliverable.

(5) The Court, by authorizing the mailing of this second set of notice packages, is not ruling on, or taking a position with regard to, the validity of the procedures followed for the first notice period or with regard to the validity of the consents received by Plaintiffs' counsel for the first notice period.

DATED this 25<sup>th</sup> day of JUNE, 2003.

  
The Honorable B. Lynn Winmill  
United States Chief District Judge

**ORDER REGARDING SECOND ROUND OF NOTICES - 2**

Boise-157598.1 0026493-00046

\* \* \* COMMUNICATION RESULT REPORT ( JUN.25.2003 12:13PM ) \* \* \*

FILE MODE	OPTION	ADDRESS (GROUP)	RESULT	PAGE
026	MEMORY TX	93457894 93899040	OK OK	P. 3/3 P. 3/3

REASON FOR ERROR  
 E-1) HANG UP OR LINE FAIL  
 E-2) BUSY  
 E-3) NO ANSWER  
 E-4) NO FACSIMILE CONNECTION

**UNITED STATES DISTRICT COURT  
 DISTRICT OF IDAHO**

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**B. LYNN WINMILL**  
 Chief District Judge

**MEMORANDUM**

**TO:** William H. Thomas  
 Dan E. Williams  
 HUNTLEY PARK  
 Via Fax (208) 345-7894

Kim J. Dockstader  
 STOEL RIVES  
 Via Fax (208) 389-9040

**FROM:** Susie Boring-Headlee - Administrative Officer  
 Chambers of Chief Judge B. Lynn Winmill

**DATE:** June 25, 2003

**RE:** Smith v. Micon - CV-01-244-S-BLW