

**THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK**

VICKIE JEFFREYS Individually and on )  
Behalf of All Other Persons Similarly )  
Situated, )

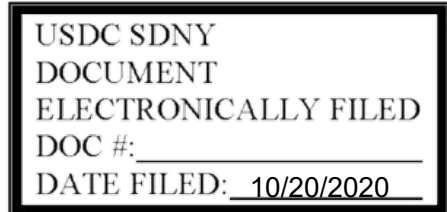
Civ. No. 19-CV-4996 (JPC)

Plaintiff, )

v. )

THE ESTEE LAUDER COMPANIES INC., )  
ESTEE LAUDER INC., ELC BEAUTY )  
LLC, ELC MANAGEMENT LLC, and JO )  
MALONE INC., )

Defendants. )



**STIPULATION AND ORDER REGARDING CONDITIONAL CERTIFICATION,  
ISSUANCE OF COLLECTIVE ACTION NOTICE AND  
DISCLOSURE OF CONTACT INFORMATION**

The Parties have agreed to conditional certification in this action pursuant to Section 216(b) of the Fair Labor Standards Act, and to issue notice of the action to a putative collective. The Parties have agreed as to which employees are eligible to receive the Notice, the form and content of the Notice, and the manner in which the Notice will be distributed (subject to the Court’s approval);

It is stipulated and agreed as follows:

1. Notice shall be sent to all individuals who meet the following qualifications:

All individuals who worked as a “Freelancer” for Jo Malone in New York, California, New Jersey, Arizona, Virginia, or Illinois, at any time from three years prior to the date notice is issued to the present.

2. The individuals to whom Notice is sent shall be referred to as the “Collective Action members.”

3. The Notice and Consent Form documents attached as Exhibit A will be sent to the Collective Action members by mail.

4. Within 21 days after Plaintiff's receipt of the information described in Paragraph 7 below, the approved Notice and Consent Form shall be sent to the Collective Action members, via First Class Mail (with an enclosed self-addressed, stamped return envelope), and email, by a third-party administrator ("TPA"), selected by Plaintiff, and retained by Plaintiff at his initial expense, without prejudice to seek reimbursement. The envelope for mailings shall include the TPA's mailing address, have the words "Court-Authorized Notice of Rights Enclosed" and the lawsuit's caption and case number. The subject line for email distribution of Notice shall state "Court-Authorized Notice of Rights" and the lawsuit's caption and case number. The body of the email will mirror the contents of the Notice;

5. The Collective Action members shall have 45 days from the date on which the Notice is mailed (the "Opt-in Period") to return the Consent form in the manner set forth in the Notice. Individuals whose initial Notice is returned as undeliverable and for whom a forwarding address is supplied or discovered, shall have 10 additional days from the date on which a second Notice is sent, to return the Consent form to the TPA. Only individuals submitting a Consent form by the deadlines set forth herein shall be eligible to join the collective action in this matter unless Defendant consents otherwise, in writing, or Plaintiffs make an application to the Court demonstrating that good cause exists for accepting any untimely submission;

6. Consent forms shall be submitted to the TPA, which will promptly provide all Consents to Plaintiff's counsel. Within seven days of receipt of a Consent form, Plaintiff's counsel shall electronically file such Consent form via the Court's electronic case filing system ("ECF"), on the docket in this matter. Consent forms may be submitted to the TPA by mail, fax,

or by submission of electronically signed Consent forms via an online portal maintained by the TPA, on a case-specific notice website, subject to the TPA's two factor authentication (i.e., individually assigned user IDs and passwords);

7. Within 14 business days after the Court has "So Ordered" this Stipulation, Defendant shall provide the TPA and Plaintiff's counsel with a computer-readable list containing all Collective Action members' names, last known mailing addresses, and personal email addresses (to the extent available). Defendant shall deliver to the TPA and Plaintiff's counsel, the last known telephone numbers and social security numbers for any Collective Action member within seven days of the TPA providing notice that it has been unable to locate a Collective Action member using skip-tracing methods.

Dated: October 1, 2020

/s/ Fran L. Rudich

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***Attorneys for Defendants***

***Attorneys for Plaintiff and the Collective***

SO ORDERED:



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Hon. John P. Cronan  
United States District Judge  
Southern District of New York  
New York, NY 10007  
Dated: October 20, 2020