

EXHIBIT 1

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

ONIEL PENA,
*on behalf of himself, FLSA Collective Plaintiffs
and the Class,*

Plaintiff,

v.

Case No. 20-CV-01370

SP PLUS CORPORATION,

ORDER

Defendant.

It is hereby ORDERED as follows:

(1) The Court grants conditional certification of the FLSA claim as a representative collective action pursuant to 29 U.S.C. § 216(b) on behalf of all parking attendants employed by Defendant for the six-year period prior to the filing of the Complaint (collectively, the “Covered Employees”).

(2) The Court approves the distribution of the notice of this FLSA action to Covered Employees, including a consent form (or opt-in form) as authorized by the FLSA.

(3) The Court approves the proposed FLSA notice (including Spanish translation) of this action and the consent form, attached as **EXHIBIT A** to Plaintiff’s Memorandum of Law.

(4) Within 10 days of this Order, Defendant is to produce in Excel format the names, titles, compensation rates, dates of employment, last known mailing addresses, email addresses and all known telephone numbers of all Covered Employees.

(5) The Court approves the posting of the notice, along with the consent forms, at each parking lot operated by Defendant in New York City where Covered Employees are employed, at any time during regular business hours.

(6) The Court approves equitable tolling of the FLSA statute of limitations until such time that Plaintiff is able to send notice to potential opt-in plaintiffs.

SO ORDERED

Hon., Sarah L. Cave, U.S.M.J.

Dated