

IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

JULI WINTJEN, *on behalf of herself and others*  
*similarly situated,*

Plaintiff,

v.

DENNY'S, INC.,

Defendant.

**2:19-CV-00069-CCW**

**ORDER**

**AND NOW**, this 6th day of August 2024, upon consideration of Juli Wintjen's Motion to Certify Subclass and Other Related Relief, ECF No. 305, it is hereby **ORDERED** that the Motion is **GRANTED** as follows:

1. Plaintiff Wintjen's FLSA claims are severed from those of the FLSA Collective;
2. Opt-In Plaintiff Sarah Gower is hereby substituted as representative of the FLSA Collective in lieu of Plaintiff Wintjen;
3. The ETCN Rule 23 Subclass, which is defined as "All Tipped Employees of Defendant identified on "Exhibit A" submitted to the Court on March 14, 2024," ECF No. 286-1, is certified, for settlement purposes only. FLSA Opt-In Plaintiff and proposed ETCN Rule 23 Subclass member Sarah Gower shall serve as the subclass representative, and Connolly Wells and Gray, LLP along with Lynch Carpenter, LLP shall serve as Class Counsel for the ETCN Rule 23 Subclass.

DATED this 6th day of August 2024.

BY THE COURT:

/s/ Christy Criswell Wiegand  
CHRISTY CRISWELL WIEGAND  
United States District Judge

cc (via ECF email notification):

All Counsel of Record