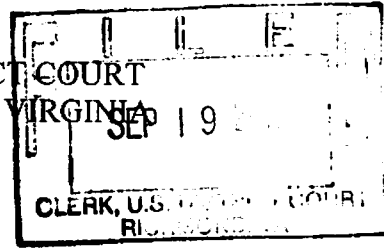


IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF VIRGINIA  
Richmond Division



3:11cv620

STACY ROGERS, SEAN ADAMS, )  
REUBEN T. ALBRIGHT, MARK E. ALLEN, )  
JOHN W. BARKLEY, PATRICK BRADY, )  
DANIEL BURGESS, WILLIAM P. CAMPBELL, )  
PAUL CLINE, RICHARD H. COLBURN, JR., )  
CHAD W. COLLINS, LEE CORDON, )  
TOM CROCE, THOMASINA CUNNINGHAM, )  
WILLIAM DICKERSON, DANIEL DIXON, )  
JOHN D. EDWARDS, JR., RANDALL A. EGGINK, )  
ERROL FERNANDEZ, BENJAMIN J. FRAZER, )  
LUCAS GEIGER, STEVEN GIBSON, )  
CHRIS GLEASON , DONALD GRATA, )  
ANDRE GUEVARA, JAMES R. HALE, )  
DAVID HOATH, PHON HOONSAN, )  
JEFFREY HOWE, BERNARD KENNY, III, )  
MICHAEL KIMRY, CHRISTOPHER KITT, )  
MATTHEW LAIRD, SCOTT LAND, )  
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KEVIN B. MILLS, RALPH E. MILLS, )  
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ROGER OWENS, DAVID S. PHILIPS, )  
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MATTHEW SACKSTEDER, ERIC O. SANDLIN, )  
JEREMY SAYLES, CARL SCOTT, )  
TAYLOR SENSABAUGH, CHRISTOPHER L. )  
SHORE, BRIAN SHOWS , ROBERT K. SMITH, )  
CHRIS SNYDER, JOHN STANTON, )  
STEVEN D. THOMAS, BENJAMIN TODERICO, )  
GARY L. VENABLE , KIMBERLY WHITEFIELD, )  
MARLEY WILLIAMS, CHRIS A. B. WILLIAMS, )  
SR., MARK E. WOOTEN, ROBERT YANCY, )  
ROGER YUTZEY, Individually, and all others )  
similarly situated, )  
  
Plaintiffs, )

v.

CITY OF RICHMOND, VIRGINIA,

Defendant.

)  
) Civil Action No. 3:11CV620  
)  
) **TRIAL BY JURY DEMANDED**  
)  
)  
)

**COLLECTIVE AND CLASS ACTION COMPLAINT**

COME NOW Plaintiffs Stacy Rogers, Sean Adams, Reuben T. Albright, Mark E. Allen, John W. Barkley, Patrick Brady , Daniel Burgess, William P. Campbell, Paul Cline, Richard H. Colburn, Jr., Chad W. Collins, Lee Cordon, Tom Croce, Thomasina Cunningham, William Dickerson, Daniel Dixon, John D. Edwards, Jr., Randall A. Eggink, Errol Fernandez, Benjamin J. Frazer, Lucas Geiger, Steven Gibson, Chris Gleason , Donald Grata, Andre Guevara, James R. Hale, David Hoath, Phon Hoonsan, Jeffrey Howe, Bernard Kenny, III, Michael Kimry, Christopher Kitt, Matthew Laird, Scott Land , Blake Letchford, Marvin Marsh, Jose Marte, William McAuliffe, Thomas E. McGovern, Jr., Janet P. Mills, Kevin B. Mills, Ralph E. Mills, Daniel Minor , Chris Moore, Kelly R. Morley, Robert V. Moroney, Jr. , Shawn Nunnally, Duane Osbourne, Roger Owens, David S. Philips, Danny Rhodenizer, Ethan Rhodenizer, Lewis W. Roelke, Greg Russell, Matthew Sacksteder, Eric O. Sandlin, Jeremy Sayles, Carl Scott, Taylor Sensabaugh, Christopher L. Shore, Brian Shows , Robert K. Smith, Chris Snyder, John Stanton, Steven D. Thomas, Benjamin Toderico, Gary L. Venable , Kimberly Whitefield, Marley Williams, Chris A. B. Williams, Sr. , Mark E. Wooten, Robert Yancy, Roger Yutzey (collectively "Plaintiffs"), by counsel, and make the following allegations on behalf of themselves and all others similarly situated:

## PRELIMINARY STATEMENT

1. Plaintiffs are current and former employees of the City of Richmond, Virginia's Police Department. This proceeding seeks unpaid overtime for Plaintiffs and all others similarly situated, under the federal and state laws which establish the overtime compensation due to law enforcement officers.

2. Count One is a Collective Action in which Plaintiffs seek declaratory relief, injunctive relief, and to recover unpaid overtime compensation and liquidated damages under the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*, as amended ("FLSA" or "the Act") for themselves and others similarly situated.

3. Count Two is brought under this Court's supplemental jurisdiction, also seeking unpaid overtime, but pursuant to the enhanced relief provided by Va. Code § 9.1-700, *et seq.* for Virginia law enforcement personnel. Plaintiffs bring Count Two for themselves, individually, and others similarly situated seeking class relief pursuant to Rule 23 Fed. R. Civ. P. Plaintiffs seek declaratory relief, injunctive relief, and to recover unpaid overtime compensation and liquidated damages pursuant to Va. Code § 9.1-700, *et seq.*

## PARTIES

4. Defendant is the primary law enforcement agency in the City of Richmond, Virginia and is comprised of police officers and various clerical, administrative, and management personnel. It employs over nine hundred (900) individuals, including approximately seven hundred fifty (750) sworn law enforcement officers.

5. Defendant is an "employer" both within the meaning of 29 U.S.C. § 207(a)(1) and Va. Code § 9.1-700. Defendant was Plaintiffs' "employer" within the meaning of 29 U.S.C. § 203(d) and Va. Code § 9.1-700 and at all times relevant hereto.

6. Plaintiffs are residents of Virginia and officers employed by Defendant. At all times relevant hereto, Rogers, et al. were officers who are, or have been, employed by Defendant within the meaning of the FLSA, 29 U.S.C. § 203(e)(1) and law enforcement employees within the meaning of Va. Code § 9.1-700.

7. Plaintiffs bring this action on behalf of themselves and other similarly situated current and former employees of Defendant who were, or are, employed by Defendant as “Police Officers” or “Law Enforcement employees” or with duties similar to “Police Officers” or “Law Enforcement employees” and who were subject to the same uniform pay practices and policies.

#### **JURISDICTION AND VENUE**

8. This Court has jurisdiction over this matter pursuant to 29 U.S.C. § 216(b), 28 U.S.C. §§ 1331, 2201, 2202 and seeks this Court’s supplemental jurisdiction pursuant to 28 U.S.C. § 1367.

9. Venue is proper in this judicial district under 28 U.S.C. § 1391(b).

10. Defendant is subject to personal jurisdiction in the Commonwealth of Virginia.

#### **REPRESENTATIVE ACTION ALLEGATIONS FOR FLSA CLAIMS**

11. Plaintiffs file this statutorily authorized collective action pursuant to 29 U.S.C. § 216(b) as Representative Plaintiffs. Plaintiffs each consent to become party plaintiffs in this representative FLSA action pursuant to 29 U.S.C. § 216(b), as evidenced by Plaintiffs’ “Consent to Become Party to Collective Action Under 29 U.S.C. § 216,” filed herewith.

12. Defendant employs, and has employed, multiple persons in the same job functions and/or positions as Plaintiffs occupy.

13. These employees perform, and have performed, functions which entitle them to payment of overtime compensation wages that they have not received.

14. Defendant compensated, and continues to compensate, Plaintiffs and those similarly situated, on a uniform compensation basis common to Plaintiffs and other persons performing similar job functions.

15. On information and belief, all of Defendant's operations are centrally managed as a single enterprise, and all or most of Defendant's employees performing functions similar to Plaintiffs are subject to common, uniform time-keeping and payroll practices. Defendant has additionally established uniform payroll policies with respect to the payment of overtime compensation which apply to all Plaintiffs in the performance of law enforcement duties for Defendant.

16. The FLSA "collective" or "class" of similarly situated employees is composed of all present and former employees of Defendant who performed the same or similar job functions as Plaintiffs and are or were subject to the same pay practices, and have been employed within three (3), or more, years of the date of filing of this action.

17. Plaintiffs assert that Defendant's willful disregard of the overtime laws described herein entitles Plaintiffs and similarly situated employees to the application of the three (3) year limitations period and, in addition, to equitable tolling of the otherwise applicable statutes of limitations.

18. At all times relevant hereto, Defendant was a "public agency" as that term is defined by 29 U.S.C. §§ 203(e)(2)(C) and 203(x).

19. Plaintiffs' titles and job duties, and the titles and job duties of those similarly situated to Plaintiffs, are specifically not exempt from the coverage of the FLSA.

20. At all relevant times, Plaintiffs and other similarly situated employees have been entitled to the rights, protections, and benefits provided under the FLSA.

## GENERAL FACTUAL ALLEGATIONS

21. Defendant employs Plaintiffs as "Police Officers."

22. As Police Officers, Plaintiffs' duties consist of maintaining the peace, protecting Richmond citizens, and investigating crimes and/or citizen complaints.

23. Plaintiffs and other similarly situated employees work regularly scheduled work hours which recur each work week. Officers are generally scheduled to work based on a forty hour week, or eighty hours every two weeks. As required, for on-call, extra duty assignments and other non-recurring types of assignments, officers may be assigned additional hours of work.

24. Federal law requires that, as law enforcement employees, Plaintiffs receive overtime compensation for all hours worked over one hundred seventy-one (171) in a 28 day period. 29 U.S.C § 207(k).

25. In 2005, state law was amended to require that Virginia law enforcement officers working for jurisdictions employing 100 or more law enforcement employees pay overtime compensation for the difference in the regularly scheduled workweek, or, generally, one hundred sixty (160) hours in a twenty-eight day period and the 171 hour federal maximum allowed by 29 U.S.C. § 201(k). Va. Code § 9.1-700 *et seq.*

26. Throughout Plaintiffs' employment with Defendant, Plaintiffs and other similarly situated employees were regularly required to work in excess of one hundred and sixty (160) and/or one hundred hours and/or to work in excess of seventy one (171) hours in each twenty eight (28) day period.

27. During Plaintiffs' employment with Defendant, Defendant did not pay Plaintiffs or other similarly situated employees overtime compensation for (a) all hours worked in excess of one hundred and sixty (160) hours in each twenty eight (28) day period and/or (b) all hours

worked in excess of one hundred and seventy one (171) hours in each twenty eight (28) day period.

28. In addition to recorded work time that is not compensated, Defendant has regularly deducted a scheduled daily thirty (30) minute “lunch” break from the hours on which Plaintiffs are compensated, regardless of whether any lunch break is taken at that time. Officers regularly work through “lunch” periods and are not compensated for the actual time worked.

29. Overtime compensation was not generally paid to Plaintiffs or those similarly situated for break hours worked, whether or not such hours resulted in an employee’s work hours totaling more than forty (40) in a workweek, more than one hundred and sixty (160) hours in a twenty eight (28) day period or more than one hundred and seventy one (171) hours in a twenty eight (28) day period.

30. Plaintiffs and other similarly situated employees have regularly worked other time for which they have not received overtime compensation.

31. As a matter of Defendant’s payroll policy and, specifically, Richmond Police Department General Order 4-2, Defendant only pays overtime compensation for work over eighty-six (86) hours worked in a two week period.

32. Defendant, therefore, as a matter of stated policy, does not make payment of overtime compensation for hours worked between eighty (80) and eighty-six (86) hours in a two week cycle [or, calculated on a twenty-eight (28) day cycle, Defendant does not make payment of overtime compensation for hours worked between one hundred and sixty (160) and one hundred and seventy two (172) hours in such period], in violation of both state law requiring overtime compensation for hours worked over the regularly scheduled one hundred and sixty (160) hours during each twenty-eight (28) day period and federal law requiring overtime

compensation for hours worked over one hundred and seventy-one (171) hours during such period.

33. On information and belief, Defendant continues to deny Plaintiffs and similarly situated employees' overtime compensation to which they are entitled.

34. Although Plaintiffs and other similarly situated employees worked and were and are expected to work hours in excess of forty (40) hours in an individual week, over one hundred and sixty (160) hours in a twenty eight (28) day period and/or over one hundred and seventy one (171) hours in a twenty eight (28) day period, Defendant has failed and refused to pay overtime compensation for such hours worked.

**COUNT ONE**  
**VIOLATION OF THE FAIR LABOR STANDARDS ACT**

35. At all times relevant to the matters alleged herein, Defendant has engaged in a pattern, practice or policy of not compensating Police Officers in accordance with state and federal mandates for certain overtime work performed for Defendant's benefit.

36. The FLSA requires covered employers such as Defendant to compensate Police Officers at a rate of not less than one and one-half times the regular rate of pay for work performed in excess of one hundred and seventy one (171) hours in a twenty (28) day period.

37. At all times relevant hereto, Defendants knew, or should have known, that federal wage laws, generally, and the FLSA, specifically, applied to Plaintiffs and others similarly situated.

38. On information and belief, Defendant had knowledge of their FLSA requirements to pay "Police Officers" overtime compensation for hours worked in excess of one hundred and seventy one (171) hours in a twenty (28) day period.



39. On information and belief, Defendant had knowledge that Plaintiffs and all others similarly situated often worked through their scheduled lunch break and worked other hours that were above and beyond Plaintiffs' normally scheduled hours.

40. Despite knowledge of their obligations under federal wage laws, including the FLSA, Defendant suffered and permitted Plaintiffs and the similarly situated employees to routinely work in excess of one hundred and seventy one (171) hours in a twenty (28) day period without paying all overtime compensation due.

41. Defendant has an obligation under the FLSA to maintain accurate records of time worked by employees. For at least some portion of the relevant time period, Defendant failed to maintain accurate time records of the time Police Officers expended efforts on their behalf.

42. Defendant willfully violated the FLSA by its mandatory daily deduction of lunch break hours and its failure to pay Plaintiffs, and other similarly situated employees, overtime compensation for worked "lunch break" hours when the addition of those hours pushed their total hours worked exceeded one hundred and seventy one (171) hours in a twenty-eight (28) day period.

43. Defendant has failed, and on information and belief, continues to fail, to maintain accurate time records for Plaintiffs and other similarly situated employees as required by the FLSA.

44. Defendant willfully violated the FLSA by failing to keep accurate time records of all hours worked by Plaintiffs and other similarly situated employees.

45. The foregoing conduct constitutes a willful violation of the FLSA within the meaning of 29 U.S.C. § 255(a), as Defendant knew or showed reckless disregard for the fact that the City's compensation practices were in violation of these laws.

46. Plaintiffs, and other similarly situated present and former employees, are entitled to statutory damages equal to the mandated overtime premium pay within the three (3) (or more) years preceding the filing of this Complaint.

47. Defendant has shown a reckless disregard for the FLSA's overtime requirements for law enforcement personnel. Although Defendant had an obligation to make proper inquiry into its FLSA compliance obligations, it failed to do so or, having inquired, they ignored or willfully attempted to avoid its legal obligations.

48. Defendant has not acted in good faith with respect to their failure to pay overtime compensation. Defendant had no legitimate reason to believe their actions and omissions were *not* a violation of the FLSA, thus entitling Plaintiffs, and those similarly situated, to recover an award of liquidated damages in an amount equal to the amount of unpaid overtime compensation described above.

#### **ADDITIONAL FACTUAL ALLEGATIONS RELATED TO PLAINTIFFS' STATE LAW CLAIMS**

49. Plaintiffs are required to work a regular and recurrent schedule whereby they are scheduled to work eighty (80) hours every fourteen (14) days and one hundred and sixty (160) hours every twenty-eight (28) days.

50. Regardless of their regular and recurrent schedule, Plaintiffs are often required to work in excess of eighty (80) hours every fourteen (14) days and one hundred and sixty (160) hours every 28 days.

51. Pursuant to Va. Code §§ 9.1-701 through 9.1-703, Defendant is obligated to pay Plaintiffs at one and a half times their normal rate ("overtime") for all hours worked above and beyond their regular and recurrent work schedules.

52. Defendant's payroll policy is to pay at "straight time," i.e., Plaintiffs' normal rate for all hours worked between eighty (80) and eighty-six (86) over a fourteen day period [or between sixty (160) to one hundred and seventy two (172) hours over a twenty-eight day period.]

53. Pursuant to Va. Code § 9.1-701 all hours should be paid at time and a half to the extent these hours are "between the statutory maximum permitted under 29 U.S.C. § 207 (k) and the hours for which an employee receives his salary."

### **RULE 23 CLASS ACTION ALLEGATIONS**

#### **A. Class Definition**

54. Plaintiffs, the Rule 23 Class Representatives, seek to maintain claims pursuant to Va. Code § 9.1-701, individually, on their own behalves, and on behalf of a class of current and former Richmond City Police Department who, during any time within the liability period, were employed in the ranks of Lieutenant and below. Current and former Richmond City Police Department employees who hold or have held positions of Captains and above are excluded from the class for such periods of the liability period in which they were employed at the ranks of Captain and above.

#### **B. Efficiency of Class Prosecution of Common Claims**

55. Certification of a class of current and former officers is the most efficient and economical means of resolving the questions of law and fact which are common to the claims of the Class Representatives and the proposed class. Conversely, proceeding on an individual basis will require the filing of hundreds of duplicative individual suits which will waste judicial time and resource and create the risk of inconsistent or varying adjudications of common issues.

**C. Numerosity and Impracticality of Joinder**

56. The class which the Class Representatives seek to represent are so numerous that joinder is impracticable. On information and belief, there are over eight hundred (800) current and former Richmond police officers during the liability period who have been unlawfully denied overtime compensation to which they are entitled by virtue of Va. Code §§ 9.1-701, *et seq.*

**D. Common Questions of Law and Fact**

57. The application of Defendant's Richmond Police Department General Order 4-2 presents common issues of fact in this matter. Moreover, Defendant has utilized centralized scheduling and compensation practices in the calculation and payment of overtime compensation which apply uniformly to the class representatives and to those other officers they seek to represent. On information and belief, all present and former Richmond police officers were subject to the same centralized scheduling and compensation practices during the liability period.

58. Common issues of fact exist in this matter as to whether Defendant's scheduling and compensation practices violated applicable state and federal law regarding Virginia law enforcement personnel's entitlement to and Defendant's payment of overtime compensation.

**E. Typicality of Claims and Relief Sought**

59. The claims of the Class Representatives are typical to those of the class members as a whole in that their claims are based on the same scheduling and compensation practices. The relief sought by the Class Representatives for overtime compensation is also typical of the relief which is sought on behalf of the proposed class.

**F. Adequacy of Representation**

60. Plaintiffs are excellent class representatives. Their interests are co-extensive with those of the members of the proposed class they seek to represent in this class. They have knowledge of Defendant's scheduling and compensation practices. They are committed to being representatives of the class, and they have retained counsel experienced in prosecuting class action employment cases to protect the interests of the class.

**G. Rule 23(B)(3) Requirements**

61. Common questions of law and fact predominate over any questions affecting only individual members because the basis of any claims herein is the common application of policy, Richmond Police Department General Order 4-1, as well as the common scheduling and compensation practices of Defendant.

62. A class action is superior to other available methods for adjudicating the controversy because other methods would involve the filing of hundreds of individual claims that are based on the same centralized scheduling and compensation facts and the same legal issues regarding the same. Hundreds of individual cases would clog the court and waste judicial time and resources. Moreover, multiple individual cases based on the same legal issue could lead to inconsistent or varying adjudications of the same issue.

63. The putative class members do not have a substantial interest in individually controlling a separate action because any such claim would be based on the same centralized scheduling and compensation practices and their recovery in either an individual or class action will be based on the amount of overtime compensation that they have been denied by Defendant.

64. The Class Representatives and counsel are not aware of any other litigation concerning the controversy that has already begun by proposed class members.

65. It is desirable to concentrate the claims in this forum because the employment practices complained of herein occurred exclusively in this forum.

66. The Class Representatives and counsel do not foresee any substantial difficulties in managing a class action and counsel is experienced in managing class action litigation in this forum.

**COUNT TWO**  
**VIOLATION OF VA. CODE §§ 9.1-701 THROUGH 9.1-703**

67. Defendant has violated Va. Code §§ 9.1-701 through 9.1-703 by depriving Plaintiffs and others subject to the same policies of their full overtime pay rate(s).

68. Defendant's policy and practice of paying "straight time" rather than "overtime" for hours worked between eighty (80) and eighty-six (86) over a fourteen day period [or, calculated over a twenty-eight day period, between one hundred sixty (160) hours and one hundred seventy-two (172) hours] has deprived Plaintiffs, and others who are subject to the same policies, of a 1/2 premium which should be included as part of their overtime pay rate(s).

69. Pursuant to Va. Code § 9.1-704, Plaintiffs are entitled to payment of the withheld overtime compensation, an additional presumed doubling of that amount, and payment for Plaintiffs' attorney's fees and costs of this proceeding.

**PRAYER FOR RELIEF FOR COUNT ONE**  
**(PLAINTIFFS' FLSA CLAIMS)**

WHEREFORE, Plaintiffs respectfully request that this Court:

A. Approve notice, as soon as possible, to those employees and former employees similarly situated to Plaintiffs, namely all Police Officers, and other employees performing the duties of Police Officers who were employed by Defendant during any portion of the three (or more) years immediately preceding the filing of this action, of the existence of this FLSA

representative (collective) action, the claims set forth herein and further provide notice of their right to opt-in to this action pursuant to 29 U.S.C. § 216(b). Generally, this notice should inform such employees and former employees that this action has been filed, describe the nature of the action and explain their right to opt in to this lawsuit if they were not paid the proper overtime wage compensation for their hours worked in any week during the statutory period;

B. Designate this action as a collective action on behalf of the FLSA collective class pursuant to 29 U.S.C. § 216(b);

C. Enter judgment declaring that the acts and practices complained of herein are violations of the Fair Labor Standards Act, 29 U.S.C. § 201 *et seq.*;

D. Enter judgment awarding Plaintiffs, and all similarly situated present and former employees, actual compensatory damages in the amount shown to be due for unpaid overtime compensation, with pre-judgment interest, against Defendant;

E. Enter judgment that Defendant's violations of the FLSA were willful;

F. Enter judgment awarding Plaintiffs and all similarly situated present and former employees an amount equal to their overtime damages as liquidated damages;

G. Enter judgment for post-judgment interest at the applicable legal rate;

H. Enter judgment awarding Plaintiffs, and those similarly situated, reasonable attorney's fees and costs of this suit;

I. Grant leave to amend to add additional plaintiffs by motion, the filing of written consent forms, or any other method approved by the Court; to add claims under applicable state and federal laws, including claims for minimum wages pursuant to 29 U.S.C. § 206; and/or to add other defendants who meet the definition of Plaintiffs' employer, pursuant to 29 U.S.C. § 203(d);

J. Enjoin Defendant from future violations of the FLSA through the mandated payment of overtime compensation to similarly situated employees for hours worked in excess of forty (40) per week; and

K. Grant such other and further relief as this Court deems necessary and proper.

**Prayer For Relief For Count Two  
(Plaintiffs' Rule 23 State Law Claims)**

WHEREFORE, Plaintiffs respectfully request that this Court:

A. Certify this action asserting the putative class' rights under Va. Code §§ 9.1-701, *et seq.* to proceed as a class action, pursuant to Rule 23 Fed. R. Civ. P, upon Plaintiff's filing of a motion for class certification, with notice to those employees and former employees similarly situated to Plaintiffs, namely all Police Officers, and other employees performing the duties of Police Officers who were employed by Defendant during any portion of the three (or more) years immediately preceding the filing of this action, of the existence of this action, the claims set forth herein and notice of their rights herein;

B. Award appropriate declaratory relief regarding Defendant's unlawful acts and practices, in violation of Va. Code §§ 9.1-701 through 9.1-703 and injunctive relief to prevent such practices continuing in the future;

C. Award appropriate back pay in amounts equivalent to Plaintiffs' previously deprived wages, and a doubling of the same pursuant to Va. Code §§ 9.1-701 through 9.1-704.

D. For an award of reasonable attorney's fees and costs incurred on Plaintiffs' behalf, pursuant to Va. Code § 9.1-704.

E. For such other and further relief to which Plaintiffs may show themselves justly entitled.



Respectfully submitted,

STACY ROGERS, SEAN ADAMS, REUBEN T. ALBRIGHT, MARK E. ALLEN, JOHN W. BARKLEY, PATRICK BRADY , DANIEL BURGESS, WILLIAM P. CAMPBELL, PAUL CLINE, RICHARD H. COLBURN, JR., CHAD W. COLLINS, LEE CORDON, TOM CROCE, THOMASINA CUNNINGHAM, WILLIAM DICKERSON, DANIEL DIXON, JOHN D. EDWARDS, JR., RANDALL A. EGGINK, ERROL FERNANDEZ, BENJAMIN J. FRAZER, LUCAS GEIGER, STEVEN GIBSON, CHRIS GLEASON , DONALD GRATA, ANDRE GUEVARA, JAMES R. HALE, DAVID HOATH, PHON HOONSAN, JEFFREY HOWE, BERNARD KENNY, III, MICHAEL KIMRY, CHRISTOPHER KITT, MATTHEW LAIRD, SCOTT LAND , BLAKE LETCHFORD, MARVIN MARSH, JOSE MARTE, WILLIAM MCAULIFFE, THOMAS E. MCGOVERN, JR., JANET P. MILLS, KEVIN B. MILLS, RALPH E. MILLS, DANIEL MINOR , CHRIS MOORE, KELLY R. MORLEY, ROBERT V. MORONEY, JR. , SHAWN NUNNALLY, DUANE OSBOURNE, ROGER OWENS, DAVID S. PHILIPS, DANNY RHODENIZER, ETHAN RHODENIZER, LEWIS W. ROELKE, GREG RUSSELL, MATTHEW SACKSTEDER, ERIC O. SANDLIN, JEREMY SAYLES, CARL SCOTT, TAYLOR SENSABAUGH, CHRISTOPHER L. SHORE, BRIAN SHOWS , ROBERT K. SMITH, CHRIS SNYDER, JOHN STANTON, STEVEN D. THOMAS, BENJAMIN TODERICO, GARY L. VENABLE , KIMBERLY WHITEFIELD, MARLEY WILLIAMS, CHRIS A.B. WILLIAMS, SR., MARK E. WOOTEN, ROBERT YANCY , ROGER YUTZEY, Individually and all others similarly situated,

By: 

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