

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 17-CV-60853

ROILANDIS ARIAS and
ALEXANDER PETRILLO,
For Themselves and
Others Similarly Situated.

Plaintiffs,

vs.

SELECTIVE HEALTHCARE, LLC,
GRAEME BAGG, and
LANCE SCHNITTMAN,

Defendants.

COLLECTIVE ACTION COMPLAINT

Plaintiffs, Roilandis Arias and Alexander Petrillo, on behalf of themselves and others similarly situated, sue Defendants, Selective Healthcare, LLC, Graeme Bagg, and Lance Schnittman, as follows:

Parties, Jurisdiction, and Venue

1. **Plaintiff, Roilandis Arias**, is a *sui juris* resident of Miami-Dade County, Florida, who is over 18 years old. He was an employee of Defendants as the term “employee” is defined under Florida law and consents to participate in this lawsuit. [ECF No. 1-1.]

2. **Plaintiff, Alexander Petrillo**, is a *sui juris* resident of Miami-Dade County, Florida, who is over 18 years old. He was an employee of Defendants as the term “employee” is defined under Florida law and consents to participate in this lawsuit. [ECF No. 1-2.]

3. Plaintiffs are part of a much larger class of similarly situated current and former employees of Defendants who worked more than 40 hours in a workweek and who earned, but did not receive overtime wages as a result of Defendants' systematic failure to properly calculate and pay overtime wages to their commissioned health insurance agents.

4. **Defendant, Selective Healthcare, LLC**, is a for profit Florida limited liability company that is *sui juris* and has operated its insurance agency here, in Broward County, Florida, at all times material.

5. **Defendant, Graeme Bagg**, was and is an owner, operator, officer, director, and/or managing member of the corporate Defendant for the relevant time period. He ran its day-to-day operations, had supervisory authority over Plaintiffs and the others similarly situated, and was partially or totally responsible for paying Plaintiffs' wages and the wages of others similarly situated.

6. **Defendant, Lance Schnittman**, was and is an owner, operator, officer, director, and/or managing member of the corporate Defendant for the relevant time period. He ran its day-to-day operations, had supervisory authority over Plaintiffs and the others similarly situated, and was partially or totally responsible for paying Plaintiffs' wages and the wages of others similarly situated.

7. Defendants were Plaintiffs' direct employers, joint employers and co-employers, as that term "employer" is defined by 29 U.S.C. §203 (d).

8. This Court has jurisdiction over Plaintiffs' FLSA claims.

9. Venue is proper in this Court pursuant because Defendants transact business in Broward County, they maintain their office and principal place of business in Broward County,

and also because Defendants employed Plaintiffs in Broward County, with most of the actions complained of occurring within this County.

Common Background Factual Allegations

10. Defendants regularly employed two or more employees for the relevant time period that handled goods or materials that travelled through interstate commerce, or used instrumentalities of interstate commerce, thus making Defendants' business an enterprise covered under the Fair Labor Standards Act.

11. Defendants have been, at all times material, an enterprise engaged in interstate commerce in the course of their marketing, sales, promotion, brokerage, and transacting of health insurance in interstate commerce.

12. Defendants marketed, promoted, brokered, and sold health insurance by on behalf of out-of-state insurers while using machinery, appliances, telephones, computers, computer networking equipment, computer software, telephones, telephone equipment, goods and materials that also have moved through interstate commerce prior to Defendants' use of same.

13. Furthermore, Defendants obtain, solicit, exchange and send funds to and from outside of the State of Florida, use telephonic transmissions going outside of the State of Florida to conduct business, and transmit electronic information through computers, the internet, via email, and otherwise outside of the State of Florida in the course of their business.

14. Defendants market their business on the internet at <http://www.selectivehealthcare.com>, a domain that they purchased from GoDaddy.com, LLC, a foreign corporation.

15. Defendants registered their website through Domains By Proxy, LLC, an Arizona corporation.

16. Defendants utilize their website to attract leads through requests for insurance quotes submitted through various pages on their website, including at <http://www.selectivehealthcare.com/enroll-now/>.

17. Defendants utilize computer software that was created outside of the State of Florida.

18. Defendants' annual gross revenues derived from this interstate commerce are believed to be in excess of \$500,000.00 for the relevant time period.

19. To the extent that records exist regarding the exact dates of Plaintiffs' employment exist, such records are in the exclusive custody of Defendants.

20. Plaintiffs' work for Defendants, and the work of others similarly situated, was actually in or so closely related to the movement of commerce while they worked for Defendants that the Fair Labor Standards Act applies to Plaintiffs' work for Defendants in the course of selling health insurance products to persons located inside and outside of the State of Florida while regularly and routinely utilizing computers, equipment, telephone lines, funds, and electronic transmissions that also traveled through interstate commerce.

21. Plaintiffs and others similarly situated would regularly and routinely receive obtain payment information from persons located inside and outside of the State of Florida in the form of credit cards and banking information that involve the transmission of information across state lines involving financial institutions located inside and outside of the State of Florida.

22. Any/all conditions precedent to filing this lawsuit occurred and/or was satisfied by Plaintiffs.

23. Plaintiffs retained the undersigned counsel and agreed to pay a reasonable fee for all services rendered.

Collective Action Allegations

24. Plaintiffs bring this action on behalf of themselves and other similarly situated persons who work and who worked for Defendants in Florida as health insurance agents from the three years immediately preceding the filing of this Complaint and the date of the rendition of a final judgment in this action.

25. There are many similarly situated current and former employees of Defendants who have been underpaid in violation of the FLSA, deprived of the overtime pay they earned, and who would benefit from the issuance of notice of their rights, the present lawsuit, and their ability to join this lawsuit (without fear of retaliation for affected current employees of Defendants).

26. The class of similarly situated employees employed by Defendants who may become Plaintiffs in this action are current and former employees of Defendants who were paid through a draw against commission and who are and who were subject to the same payroll practices and procedures.

27. The class of similarly situated employees employed by Defendants are known to Defendants, readily identifiable from records maintained by Defendants, and necessarily will present legal and factual issues which are nearly the same, if not identical to Plaintiffs' issues.

28. Defendants paid Plaintiffs according to the same pay practice that it applied to its other employees who, like Plaintiffs, received a draw against commission – but who did not receive overtime.

29. Plaintiffs performed the same type of work under the same procedures, rules, and regulations, as a class of Defendants' other similarly situated employees who were paid a draw against a commission.

Liability Allegations

30. Plaintiff, Roilandis Arias, worked for Defendants from June 2014 to August 5, 2016 performing inside sales of health insurance policies.

31. Plaintiff, Alexander Petrillo, worked for Defendants from February 2014 to May November 1, 2016 performing inside sales of health insurance policies.

32. Defendants' policy and practice was to classify pay Plaintiffs and their other similarly situated health insurance agents as employees exempt from the overtime provisions of the FLSA.

33. Defendants paid Plaintiffs with a draw of \$500 per week against a standardized commission structure. Each Plaintiff then had to earn at least \$500 of commissions that week, based on the commission structure, and if they earned more, then they would be able to keep the entirety of their commissions earned over \$500.

34. However, if Plaintiffs did not earn at least \$500 that week, then the following week they each had to make earn the \$500 draw plus whatever shortfall from the prior week (or have the previous week's shortfall deducted from any commissions earned above the \$500).

35. Plaintiffs and the other similarly situated employees of Defendants sold insurance policies at pre-determined rates, but none had the ability to make any decisions on behalf of Defendants.

36. Defendants paid Plaintiffs and their other similarly situated commissioned health insurance agents in the same manner, with a draw against a commission, and required them to adhere to the same set of standardized policies and procedures.

37. The Code of Federal Regulations, at 29 C.F.R. §779.317, identifies certain occupations that do not qualify for the exemption found at 29 U.S.C. §207(i), including those

engaged in the business of “Insurance; mutual, stock and fraternal benefit, including insurance brokers, agents, and claims adjustment offices.”

38. Defendants nonetheless failed and refused to pay Plaintiffs and the class of similarly situated commissioned health insurance agent employees at the rate of time and one-half of their regular rate(s) of pay (including non-discretionary commissions earned) for all hours worked over 40 hours in a workweek.

39. Upon information and belief, Defendants failed to pay overtime and failed to comply with the FLSA to minimize their labor costs and to maximize their profits.

40. Defendants maintained records or were required to maintain records of the times that Plaintiffs and the class of similarly situated commissioned health insurance agent employees started and stopped working each day.

41. Defendants willfully and intentionally refused to pay Plaintiffs wages at a rate of time and one-half times her regular rate of pay for each of the overtime hours she worked during the relevant time period.

42. Defendants have not made a good faith effort to comply with the FLSA with respect to their compensation of Plaintiffs and the class of similarly situated commissioned health insurance agent employees.

43. Defendants either recklessly failed to investigate whether their failure to pay Plaintiff and the class of similarly situated employees the correct overtime wage for the hours worked during the relevant time period violated the Federal Wage Laws of the United States, they intentionally misled Plaintiffs and the class of similarly situated employees to believe that Defendants were not required to pay an overtime that included commission as part of their

calculations, and/or Defendants concocted a scheme pursuant to which they deprived Plaintiffs and the class of similarly situated employees the overtime pay earned.

44. Plaintiffs and the class of similarly situated employees are entitled to a back pay award of overtime wages for all overtime hours worked, plus an equal amount as a penalty, plus all attorneys' fees and costs.

WHEREFORE Plaintiffs, Roilandis Arias and Alexander Petrillo, on behalf of themselves and all others similarly situated, demands the entry of a judgment in their favor and against Defendants, Selective Healthcare, LLC, Graeme Bagg, and Lance Schnittman, jointly and severally, after trial by jury and as follows:

- a. That the Court certify the instant suit as an opt-in class action under 29 U.S.C. § 216(b) for all similarly situated employees who elect to join these proceedings at the earliest opportunity so that Plaintiffs can send notice to all similarly situated commission-only employees of Defendants who sold health insurance during the past three years;
- b. That the named Plaintiffs and all class members who opt in recover compensatory overtime wage damages and an equal amount of liquidated damages as provided under the law and in 29 U.S.C. § 216(b) – or interest on the unpaid wages if no liquidated damages are awarded;
- c. That Plaintiffs and the class recover an award of reasonable attorneys fees, costs, and expenses pursuant to the FLSA;
- d. That the Defendants be Ordered to make the Plaintiffs and all class members who opt in whole by providing appropriate overtime pay and other benefits wrongly denied in an amount to be shown at trial and other affirmative relief;

- e. That Plaintiffs and all class members recover a judgment for all interest allowed by law; and
- f. Such other and further relief as the Court deems just and proper.

DEMAND FOR JURY TRIAL

Plaintiffs demand a trial by jury of all issues so triable.

Dated this 1st day of May, 2017.

Respectfully Submitted,

FAIRLAW FIRM
Counsel for Plaintiffs
7300 N. Kendall Drive
Suite 450
Miami, FL 33156
Tel: 305.230.4884
Fax: 305.230.4844

s/Brian H. Pollock, Esq.

Brian H. Pollock, Esq.
Fla. Bar No. 174742
brian@fairlawattorney.com

DECLARATION AND NOTICE OF CONSENT TO JOIN

Pursuant to 28 U.S.C. §1746, I hereby make the following declaration:

1. I am over 18 years of age and am capable of making this declaration. This declaration is made on my own personal knowledge.

2. Pursuant to 29 U.S.C. §216(b), I consent to serve as a plaintiff in the above-referenced FLSA action.

3. I was employed by Selective Healthcare, LLC and Graeme Bagg from 06/2014 to August 5, 2016. *Lance Schnittman*

4. I was not paid at least a minimum wage and/or overtime wages for all of the time that I worked for the Defendant(s).

5. I agree to any decision to be bound in my case.

Dated 05/01/2017

Signed: 

Printed Name: Ronquis Arias

DECLARATION AND NOTICE OF CONSENT TO JOIN

Pursuant to 28 U.S.C. §1746, I hereby make the following declaration:

1. I am over 18 years of age and am capable of making this declaration. This declaration is made on my own personal knowledge.

2. Pursuant to 29 U.S.C. §216(b), I consent to serve as a plaintiff in the above-referenced FLSA action.

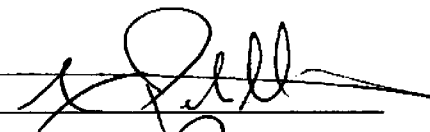
Lance Schmittman,

3. I was employed by Selective Healthcare, LLC and Graeme Bagg from Feb of 2014 to November 1, 2016.

4. I was not paid at least a minimum wage and/or overtime wages for all of the time that I worked for the Defendant(s).

5. I agree to any decision to be bound in my case.

Dated 5-1-17

Signed: 

Printed Name: Alex Petrillo

CIVIL COVER SHEET

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. (SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)

I. (a) PLAINTIFFS

ROILANDIS ARIAS and ALEXANDER PETRILLO, For Themselves And Others Similarly Situated.

(b) County of Residence of First Listed Plaintiff BROWARD (EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number) Brian H. Pollock, Esq. / FairLaw Firm 7300 N. Kendall Drive, Suite 450 Miami, FL 33156 Tel: (305) 230-4884

DEFENDANTS

SELECTIVE HEALTHCARE, LLC, GRAEME BAGG, and LANCE SCHNITTMAN

County of Residence of First Listed Defendant BROWARD (IN U.S. PLAINTIFF CASES ONLY)

NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED.

Attorneys (If Known)

II. BASIS OF JURISDICTION (Place an "X" in One Box Only)

- 1 U.S. Government Plaintiff, 2 U.S. Government Defendant, 3 Federal Question (U.S. Government Not a Party), 4 Diversity (Indicate Citizenship of Parties in Item III)

III. CITIZENSHIP OF PRINCIPAL PARTIES (Place an "X" in One Box for Plaintiff and One Box for Defendant)

- Citizen of This State, Citizen of Another State, Citizen or Subject of a Foreign Country, PTF DEF, Incorporated or Principal Place of Business In This State, Incorporated and Principal Place of Business In Another State, Foreign Nation

IV. NATURE OF SUIT (Place an "X" in One Box Only)

Table with 5 columns: CONTRACT, REAL PROPERTY, TORTS, CIVIL RIGHTS, PRISONER PETITIONS, FORFEITURE/PENALTY, LABOR, IMMIGRATION, BANKRUPTCY, SOCIAL SECURITY, FEDERAL TAX SUITS, OTHER STATUTES. Includes various legal categories like Insurance, Personal Injury, Habeas Corpus, etc.

V. ORIGIN (Place an "X" in One Box Only)

- 1 Original Proceeding, 2 Removed from State Court, 3 Remanded from Appellate Court, 4 Reinstated or Reopened, 5 Transferred from Another District, 6 Multidistrict Litigation

VI. CAUSE OF ACTION

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity): 29 USC §216(b)
Brief description of cause: Violations of Fair Labor Standards Act

VII. REQUESTED IN COMPLAINT:

CHECK IF THIS IS A CLASS ACTION UNDER RULE 23, F.R.Cv.P. DEMAND \$ CHECK YES only if demanded in complaint: JURY DEMAND: Yes No

VIII. RELATED CASE(S) IF ANY

(See instructions): JUDGE GATES (BROWARD COUNTY) DOCKET NUMBER CACE 17-004099 (12)

DATE 5/1/2017 SIGNATURE OF ATTORNEY OF RECORD s/Brian H. Pollock, Esq.

FOR OFFICE USE ONLY

RECEIPT # AMOUNT APPLYING IFP JUDGE MAG. JUDGE

INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence.** For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys.** Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".
- II. Jurisdiction.** The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below.
 United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here.
 United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.
 Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.
 Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)
- III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- IV. Nature of Suit.** Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin.** Place an "X" in one of the six boxes.
 Original Proceedings. (1) Cases which originate in the United States district courts.
 Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.
 Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.
 Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date.
 Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.
 Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.
- VI. Cause of Action.** Report the civil statute directly related to the cause of action and give a brief description of the cause. **Do not cite jurisdictional statutes unless diversity.** Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint.** Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P.
 Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction.
 Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases.** This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.
- Date and Attorney Signature.** Date and sign the civil cover sheet.

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 17-CV-60853

ROILANDIS ARIAS and
ALEXANDER PETRILLO,
For Themselves and
Others Similarly Situated.

Plaintiffs,

vs.

SELECTIVE HEALTHCARE, LLC,
GRAEME BAGG, and
LANCE SCHNITTMAN,

Defendants.

_____ /

SUMMONS IN A CIVIL ACTION

TO: SELECTIVE HEALTHCARE, LLC
c/o GRAEME BAGG, its Registered Agent
7077 N.W. 3RD AVE
BOCA RATON, FL 33487

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Brian H. Pollock, Esq.
FairLaw Firm
7300 N. Kendall Drive, Suite 450
Miami, FL 33156
Tel: (305) 230-4884
Fax: (305) 230-4844
brian@fairlawattorney.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Civil Action No.:

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

This summons for *(name of individual and title, if any)* _____ was received by me on *(date)* _____.

- I personally served the summons on the individual at *(place)* _____, _____ on *(date)* _____; or
- I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, _____ on *(date)* _____, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* _____ designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____; or
- I returned the summons unexecuted because _____; or
- Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true.

Date: _____

Server's Signature

Printed Name and Title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 17-CV-60853

ROILANDIS ARIAS and
ALEXANDER PETRILLO,
For Themselves and
Others Similarly Situated.

Plaintiffs,

vs.

SELECTIVE HEALTHCARE, LLC,
GRAEME BAGG, and
LANCE SCHNITTMAN,

Defendants.

_____ /

SUMMONS IN A CIVIL ACTION

TO: GRAEME BAGG
7077 N.W. 3RD AVE
BOCA RATON, FL 33487

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Brian H. Pollock, Esq.
FairLaw Firm
7300 N. Kendall Drive, Suite 450
Miami, FL 33156
Tel: (305) 230-4884
Fax: (305) 230-4844
brian@fairlawattorney.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Civil Action No.:

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- I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, _____ on *(date)* _____, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* _____ designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____; or
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- Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

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Server's Signature

Printed Name and Title

Server's address

Additional information regarding attempted service, etc:

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 17-CV-60853

ROILANDIS ARIAS and
ALEXANDER PETRILLO,
For Themselves and
Others Similarly Situated.

Plaintiffs,

vs.

SELECTIVE HEALTHCARE, LLC,
GRAEME BAGG, and
LANCE SCHNITTMAN,

Defendants.

_____ /

SUMMONS IN A CIVIL ACTION

TO: LANCE SCHNITTMAN
6516 POND APPLE RD.
BOCA RATON FL 33433

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Brian H. Pollock, Esq.
FairLaw Firm
7300 N. Kendall Drive, Suite 450
Miami, FL 33156
Tel: (305) 230-4884
Fax: (305) 230-4844
brian@fairlawattorney.com

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

Date: _____

CLERK OF COURT

Signature of Clerk or Deputy Clerk

Civil Action No.:

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 4 (l))

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- I personally served the summons on the individual at *(place)* _____, _____, _____ on *(date)* _____; or
- I left the summons at the individual's residence or usual place of abode with *(name)* _____, a person of suitable age and discretion who resides there, _____ on *(date)* _____, and mailed a copy to the individual's last known address; or
- I served the summons on *(name of individual)* _____ designated by law to accept service of process on behalf of *(name of organization)* _____ on *(date)* _____; or
- I returned the summons unexecuted because _____; or
- Other *(specify)*:

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____

I declare under penalty of perjury that this information is true.

Date: _____

Server's Signature

Printed Name and Title

Server's address

Additional information regarding attempted service, etc:

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Insurance Agents Dispute Exempt Classification, Claim Unpaid OT](#)
