

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT  
(Miami Division)

LINDSAY BELL (on her own behalf and  
those similarly situated),

Plaintiffs,

CASE NO:

vs.

1220 MANAGEMENT GROUP,  
LLC, a Florida Limited Liability  
Company, MH EMPLOYMENT  
SERVICES, LLC., a Florida  
Limited Liability Company, and  
KEITH MENIN, individually,

Defendants.

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**COMPLAINT AND DEMAND FOR JURY TRIAL**

Plaintiff, LINDSAY BELL (“BELL”), and all others who are similarly situated (collectively referred to as “Bodega Bartenders”), by and through her undesignated counsel, brings this action under the Fair Labor Standards Act, 29 U.S.C. §201 et. seq (the “FLSA”) and sues the Defendants, 1220 MANAGEMENT GROUP, LLC. (“1220”), MH EMPLOYMENT SERVICES, LLC., (“MH”) collectively d/b/a BODEGA TAQUIRA Y TEQUILA BAR (“BODEGA”) and KEITH MENIN, individually, (“MENIN”), and alleges:

**NATURE OF THE SUIT**

1. This action is brought under the FLSA to recover, from Defendants, minimum wage, tip reimbursement, liquidated damages, and reasonable attorneys' fees and costs under the FLSA. The named Plaintiff is also pursuing a claim against the Defendants for retaliation in violation of 29 USC 215(a)(3).

2. This action is intended to cover Defendants' wage violations against Plaintiff, and on behalf of other similarly situated current and former non-exempt “tipped” employees of the Defendants,

within the past three (3) years, who elect to opt into this action, pursuant to the Fair Labor Standards Act (“FLSA”), 29 U.S.C. §§ 216(b).

### PARTIES

3. Plaintiffs are non-exempt hourly paid service/restaurant employees and performed related activities for Defendants in Miami-Dade County, Florida. Plaintiff’s job duties, as non-exempt tipped employees included, at varying times, serving drinks, serving food, cleaning tables, bartending, and other non-management/non administrative tasks involved in the production aspect of serving patrons food and beverages at Defendants’ restaurant.

4. At all times relevant to this action, Defendants own the Bodega and/or managed the Bodega employees and the day-to-day activities of Bodega.

5. Defendant MENIN, is an individual and *sui juris*, is a manager and owner of 1220 and MH and acts directly and indirectly in the interest of Defendants, 1220 and MH. Upon reasonable belief, MENIN frequents Bodega, and has the power to direct employee’s actions and is a member of Bodega management. MENIN’s management responsibilities (including hiring and firing, setting rates of pay, scheduling, etc), degree of control over day-to-day operations and compensation practices, and role in causing Bodega to improperly compensate employees in violation of the FLSA makes Defendant, MENIN, an individual employer pursuant to 29 USC § 203(d).

6. At all times relevant to this action, Defendant, MENIN, was an “employer” as defined by 29 U.S.C. 203(d) as he regularly exercised authority to: (a) hire, fire and discipline employees of 1220 and MH; (b) determine the work schedules for employees of 1220 and MH; (c) control the finances and operations of 1220 and MH; (d) control the terms and conditions of employees’ duties and responsibilities; (e) control the policies and procedures of 1220 and MH; and (f) was ultimately responsible for the benefit, and running of, 1220 and MH and the paying of their employees, including Plaintiff, illegally in violation of the FLSA as alleged herein.

7. Under the FLSA, to determine “joint employer” status, courts examine, among other

things, whether the alleged employer : (1) had the power to hire and fire employees; (2) supervise and control employee work schedules or conditions of employment; (3) determined the rate and method of payment; and (4) maintain employment records.

8. Based on the allegations of Paragraphs 5-6 above, Defendants, MENIN, 1220 and MH are “joint employers” as defined by the FLSA, and are individually, jointly, and severally liable for the violations at issue in this lawsuit pursuant to 29 C.F.R. § 791.2(b) and as employers under the FLSA, 29 U.S.C. §203(d).

### **JURISDICTION**

9. Jurisdiction in this Court is proper as the claims are brought pursuant to the Fair Labor Standards Act, as amended (29 U.S.C. §201, et seq., hereinafter called the “FLSA”) to recover unpaid minimum wages, unpaid overtime wages, tip reimbursement, an additional equal amount as liquidated damages, obtain declaratory relief, if applicable, a retaliation claim, and reasonable attorney’s fees and costs.

10. The jurisdiction of the Court over this controversy is based upon 29 U.S.C. §216(b).

11. This Court has the authority to grant declaratory relief, if applicable, pursuant to the FLSA and the Federal Declaratory Judgment Act (“DJA”), 28 U.S.C. §§ 2201-02.

12. Defendant, 1220, is a Florida limited liability company conducting business in Miami-Dade County, Florida.

13. Defendant, MH, is a Florida limited liability company conducting business in Miami-Dade County, Florida.

14. Defendant, MENIN, is a resident of Miami-Dade County, Florida.

15. The actions set forth within this Complaint took place in Miami-Dade County, Florida.

**COVERAGE**

16. At all times during the last three (3) years, Defendants were a jointly covered enterprise covered (as joint employers) by the FLSA and as defined by 29 U.S.C. §§ 203(r) and 203(s).

17. At all times during the last three (3) years, Defendants were “joint employers” within the meaning of the FLSA.

18. At all times material hereto, Defendants were, and continue to be, a joint “enterprise engaged in commerce” or in the production of goods for commerce within the meaning of § 3 (s)(1) of the Act, in that, said joint enterprise has had employees engaged in commerce or in the production of goods for commerce, or employees handling, selling, or otherwise working on goods or materials that have been moved in, or produced for commerce, by any person.

19. At all times material hereto, Defendants had two (2) or more employees handling, selling, or otherwise working on goods or materials that had been moved in or produced for commerce, such as food, drinks, beverages, cash registers, pots, pans, dishwashing equipment, telephones and other kitchen, food preparation and office materials and tools.

20. At all times material hereto, Plaintiffs were “engaged in commerce” by virtue of the fact that they regularly completed financial transactions with Defendants’ customers’ credit card companies, banks, and third-party payment processing services outside the State of Florida, and with foreign customers/tourists as part of their daily duties with Defendants. Further, Defendants were engaged in interstate commerce based on their internet advertising, social media solicitation, telephone solicitation, telephone reservations, faxes, mail and other items used to run Bodega that went, or pertained to, items/communications outside of the State of Florida, on a daily basis.

21. The work performed by Plaintiff was directly essential to the Defendants’ interstate activities and was directly essential to the business performed by the Defendants and Defendants

could not operate the Bodega restaurant, and other businesses, without the Bodega bartenders. By virtue of her employment with Defendants, Plaintiff was engaged in commerce and Defendants are/were an enterprise covered by the FLSA and as defined by 29 U.S.C. §203(r)and 203(s).

22. At all times material hereto, Defendants performed related activities, for a common business purpose, and with shared employees and operational control as explained in above.

23. At all times material hereto, Defendants owned and operated, for a common business service, to serve food and beverages to the general public in a sit-down restaurant/bar setting.

24. At all times material hereto, Defendants utilized the same vendors, and often a single account with the same vendors.

25. At all times material hereto, Defendants shared employees in common, such that multiple employees worked for all of the Defendants, simultaneously within the same workweeks, and worked interchangeably between the Defendants.

26. At all times material hereto, as a matter of economic reality, Defendants were a joint enterprise.

27. Based upon information and belief, the annual and joint gross revenue of Defendants was in excess of \$500,000.00 per annum during the all times relevant.

28. All conditions precedent to the bringing of this action have occurred, have been satisfied or have otherwise been waived by Defendants.

### **FACTUAL ALLEGATIONS**

29. Defendants operate and/or operated a restaurant/bar located in Miami-Dade County Florida known as Bodega.

30. Plaintiff, BELL, was an employee of Defendants from July 13, 2015 through March 13, 2017 and during this time frame, Plaintiff worked for Defendants as a bartender at Bodega (Bodega Taquria y Tequila Bar located at 1220 16th St., Miami Beach, FL).

31. Plaintiff, BELL, was fired on March 13, 2017 for questioning the illegal payment practices of Defendants.

32. During all times relevant to this action, BELL, was a bartender that served drinks, served food, cleaned the bar/tables, interacted with customers behind the bar, and worked for customer's tips at Bodega.

33. Plaintiff worked for Defendants as a non-exempt hourly paid "tipped" employee during the relevant limitations period under the FLSA. During her employment, Plaintiff worked, on average, approximately 30-35 hours each workweek (sometimes more, sometimes less). Plaintiff also worked at parties/special events catered by Defendants.

34. Plaintiff is not in possession of all of her pay and time records, and cannot, therefore, calculate with certainty, the amount of minimum wages, overtime and tips to which she is entitled as a result of Defendants' violations of the FLSA on a week by week basis, absent full access to same.

35. While Defendants paid Plaintiff a tipped wage plus tips, Defendants regularly (every night) took tip money from Plaintiff, and other similar situated employees, and improperly paid same to managers, kitchen staff and other employees.

36. Under the FLSA, if a joint employer satisfies the tip credit requirements, it may apply a portion of the employee's tips (up to a maximum of \$3.02 per hour in Florida during all times relevant) to satisfy its obligation to pay its employees at least a minimum wage. The burden is on the employers to prove they are entitled to take the tip credit against the employee's wages pursuant to the FLSA.

37. To utilize the tip credit under the FLSA, the employer must pay its employees the proper minimum wage and allow its tipped employees to retain **all the tips** they receive, except when there is a **valid arrangement for** "pooling of tips among employees who customarily and regularly receive tips." 29 U.S.C. § 203(m). If an employer fails to satisfy either requirement, it may not take

advantage of the tip credit and must pay its tipped employees the full applicable minimum wage for each and every hour worked during each workweek.

38. Defendants failed to satisfy the tip pooling requirements of 29 U.S.C. § 203(m) during all times relevant, because of their conduct described herein in illegally withholding tips and not paying said tips to the appropriate employees for whom they were designated. Thus, Defendants were not eligible for the tip credit and were required to pay Plaintiff, and others similarly situated, the full applicable minimum wage rate required by the FLSA.

39. By failing to satisfy the requirements of 29 U.S.C. § 203(m) during all times relevant, Defendants were not eligible for the tip credit and were required to pay Plaintiffs the full applicable minimum and overtime wage rates required by the FLSA.

40. During all times relevant, Defendants utilized the tip credit to pay Plaintiffs, who served food and/or beverages to Defendants' customers, at an hourly wage rate that was less than the applicable minimum wage allowed under the FLSA. Additionally, Defendants did not allow Plaintiffs to retain all of their tips. Defendants required Plaintiffs to pay a portion of their tips to non-tipped employees and/or employees who illegally received tips shares such as managers, kitchen staff, and food expeditors.

41. During all times relevant, Defendants did not pay Plaintiffs the applicable minimum wage rate for regular hours worked.

42. Moreover, during all times relevant, Defendants willfully engaged in practices that denied Plaintiff applicable minimum and overtime wages under the FLSA, because Defendants were aware that their tip pooling practices were illegal.

43. On May 10, 2017, Plaintiff's counsel notified Defendants in writing that Plaintiff had retained him, and that Plaintiff intended to pursue a claim for minimum wage, overtime damages, tip reimbursement, retaliation, liquidated damages, attorney's fees and costs.

### FLSA VIOLATIONS

44. As set forth above, 29 U.S.C. §203(m) pertains to “tipped employees” and sets forth that a tipped employee shall be entitled to retain all tips received by that tip employee as part of that tipped employee’s “wage”. The section goes on to state that “except that this section shall not be construed to prohibit the pooling of tips among employees who customarily and regularly receive tips”.

45. Plaintiff, as a bartender at Bodega , was a “tipped employee”, with Defendants, as defined by the FLSA.

46. As such, Plaintiff, and other Bodega bartenders, received an hourly wage less than the minimum hourly wage required to be paid under FLSA but, in exchange, was supposed to have been permitted, by the FLSA, to retain **all** of the tips that she received while working as a bartender for the Defendants.

47. However, Defendants violated the FLSA by requiring Plaintiff, and other Bodega Bartenders, to share her/their tips with other employees of Defendants that did not customarily and regularly receive tips as part of their employment with Defendants.

48. More specifically, Defendants required the Plaintiff, and other Bodega bartenders/bar-backs, to involuntarily share her/their tips with dishwashers, food runners, drink/food preparers and employees who prepared and made juices for the bar.

49. Further, Defendants required the Plaintiff, and other Bodega bartenders/bar-backs, to involuntarily share her tips with the manager on duty during that time.

50. The Plaintiff and other Bodega bartenders were required to pay the on duty manager a “house fee” or “house payout” wherein at the end of each bartending shift the manager would take a certain sum of money (which was usually a certain percentage of the gross revenues of the food/bar sales of Bodega) directly from the bartenders’ tips. The “house fee/payout” to the manager was



mandatory and involuntary with respect to the Plaintiff and the other bartenders/bar-backs (i.e., the Plaintiff had no choice but to allow the manager to take the “house fee” from her tips each night that that she worked).

51. Pursuant to the FLSA, the Defendants’ requirement that the Plaintiff pay the manager, dishwashers, food runners, etc from her tips invalidates the tip pool that was being implemented by the Defendants.

52. Further, as a result of the invalid tip pool, Defendants were not eligible for the tip credit that was not paid to Plaintiff, and the other Bodega bartenders, as part of her required minimum hourly wage. As such, the Defendants are responsible for paying Plaintiff, and the other Bodega bartenders, the balance of the minimum wage per hour for all hours that Plaintiff (and other Bodega bartenders) worked for Defendants.

53. In addition to the above, at times, Defendants required the Plaintiff, and other Bodega bartenders, to “clock out” for thirty (30) minutes per shift but would not allow Plaintiff to cease working or take a break during that thirty minutes that she was not being paid. In other words, for thirty minutes per shift, the Defendants would not pay the Plaintiff her hourly wage, even though she was not permitted to take a break from working during those thirty minutes.

54. Plaintiff was not told why, or given any information related to why, she was required to give a portion of her tips to managers and non-tipped employees, despite Plaintiff questioning said Bodega policies/procedures.

**COUNT I (Violation of the FLSA’s Minium Wage Provisions)**

55. Plaintiff readopts and realleges the allegations set forth in paragraphs 1 – 54 above as if fully set forth herein.

56. Defendants ran an illegal tip pool in violation of the FLSA by requiring the

Plaintiff, and other Bodega bartenders, to share her tips with other employees of Defendants that do not customarily and regularly receive tips.

57. The invalid tip pool negated the tip credit that Defendants took because Plaintiff (and the other Bodega bartenders) was a tipped employee.

58. Defendants had specific knowledge that they were paying sub-minimum wages to Plaintiff, and other Bodega bartenders, but still failed to pay Plaintiff, and other Bodega bartenders, at least minimum wages.

59. Specifically, by engaging in illegal tip pooling practices, Defendants attempted to utilize a tip credit which diminished the appropriate payment of minimum wages to Plaintiff, and other Bodega bartenders, and those similarly situated, as required by the FLSA.

60. As such, Defendants were required to pay Plaintiff, and other Bodega bartenders, the balance of the minimum wage per hour for all hours that Defendant worked for Defendants.

61. The Defendants violated the minimum wage provisions of the FLSA by not paying Plaintiff, and other Bodega bartenders, at least the minimum wage for all hours worked for Defendants contrary to 29 U.S.C. § 206.

62. Defendants knew and/or showed reckless disregard of the provisions of the FLSA with regard to: illegal tip pooling, requiring Plaintiff, and other Bodega bartenders, to share her tips with non-tipped employees, the non-payment of minimum wages based on the illegal tip pool, the non-payment of all minimum wages based on not allowing Plaintiff, and other Bodega bartenders, to take a break from working while being “clocked out” for thirty minutes a shift, and requiring Plaintiff, and other Bodega bartenders, to conduct unpaid “prep work” prior to her shift.

63. By reason of the said intentional, willful and unlawful acts of Defendants, Plaintiff, and other Bodega bartenders, suffered damages plus incurred costs and reasonable attorney’s fees. As a result of Defendant’s willful disregard of the FLSA, Plaintiff, and other Bodega

bartenders, are entitled to liquidated damages.

WHEREFORE, the Plaintiff, and other Bodega bartenders, demand judgment against the Defendants for damages, liquidated damages, reasonable attorney's fees and costs of suit and for all other proper relief as provided for by this Court and as permitted within the FLSA.

**COUNT II (Violation of 29 U.S.C. §215(a)(3) - wrongful discrimination/termination/retaliation)**

64. Plaintiff readopts and realleges the allegations set forth in paragraphs 1 -63 above as if fully set forth herein.

65. As alleged above, Plaintiff worked for Defendants until she was fired on March 13, 2017 for the pretextual reason of giving away free drinks.

66. However, prior to being fired, Plaintiff made numerous complaints and inquiries to Bodega human resources and management as to the invalid tip pool being conducted, the unpaid wages due to the Bodega bartenders as set forth herein and questioned how and why her tips were being deducted and to whom the taken tips were being given.

67. These inquiries constituted protected activity under the FLSA. *See EEOC v. White & Son Enters.*, 881 F.2d 1006, 1011–12 (11th Cir.1989) (finding that employees' informal complaints concerning unequal pay, which did not involve citation of the Equal Pay Act or the FLSA, constituted protected activity); *Debrecht v. Osceola County*, 243 F.Supp.2d 1364, 1374 (M.D.Fla.2003) (finding that employees' informal complaints to employer concerning unpaid overtime constituted protected activity under the FLSA).

68. Plaintiff was really fired as she had many discussions with Defendants' managers, and with individuals within the Defendants' human resource departments, regarding the illegal tip pooling scheme that was being forced upon the bartenders and, within those discussions, was threatening to bring an action against the Defendants for failing to properly pay Plaintiff, and other Bodega bartenders, as required under the FLSA.

69. Based on Plaintiff being fired for complaining about the Defendants' illegal payment methods of bartenders under the FLSA, Defendants' termination of Plaintiff, was, and is, a violation of 29 U.S.C. §215 (a) (3) of the FLSA.

70. Defendants showed reckless disregard of the provisions of the FLSA concerning its retaliation against Plaintiff for complaining about the illegal tip pool being run by the Defendants and the unpaid wages related to Plaintiff, and other Bodega bartenders.

71. By reason of the foregoing retaliatory acts of Defendants, Plaintiff, and other Bodega bartenders, have suffered damages and she is entitled to compensatory damages, liquidated damages, reasonable attorneys' fees and the recovery of her costs.

WHEREFORE, Plaintiff demands judgment against Defendants for their violations of 29 U.S.C. 215 (a) (3), including all damages allowed by the FLSA, liquidated damages, reasonable attorneys' fees and costs of the suit as well as for all other relief permitted under the FLSA or deemed reasonable by this Court.

**COUNT III (Reimbursement of illegally taken tips)**

72. Plaintiff readopts and realleges the allegations set forth in paragraphs 1 - 71 above as if fully set forth herein.

73. As set forth herein, the Plaintiff, and other Bodega bartenders, were required to pay the on duty manager a "house fee" or "house payout" wherein at the end of each bartending shift the manager would take a certain sum of money (which was usually a certain percentage of the gross revenues of the food/bar sales of Bodega) directly from the bartenders' tips. The "house fee/payout" to the manager was mandatory and involuntary with respect to the Plaintiff, and other Bodega bartenders, (i.e., the Plaintiff, and other Bodega bartenders, had no choice but to allow the manager to take the "house fee" from her tips).

74. The sums of money taken by the managers were earned by the Plaintiff, and the other

Bodega bartenders, and the Plaintiff/other Bodega bartenders were entitled to keep all of said funds.

75. Defendants wrongfully required Plaintiff, and other Bodega bartenders, to give a portion of their tips to the manager on duty during each shift that Plaintiff worked.

76. Defendants knew and/or showed reckless disregard of the provisions of the FLSA with regard to requiring Plaintiff, and other Bodega bartenders, to share her tips with the managers.

77. The aggregate amount of money taken by the managers for the time that Plaintiff, and other Bodega bartenders, worked for the Defendants is a significant amount of money to which Plaintiff, and other Bodega bartenders, are entitled to be reimbursed under the FLSA (the FLSA specifically sets forth that Plaintiff, and other Bodega bartenders, be allowed to keep tips that she/they earned).

78. By reason of the said intentional, willful and unlawful acts of Defendants, Plaintiff, and other Bodega bartenders, suffered damages plus incurred costs and reasonable attorney's fees. As a result of Defendant's willful disregard of the FLSA, Plaintiff, and other Bodega bartenders, are entitled to liquidated damages.

WHEREFORE, Plaintiff, and other Bodega bartenders, demand judgment against Defendants for their violations of the FLSA, including all damages allowed by the FLSA, reimbursement of the tips illegally taken from them, liquidated damages, reasonable attorneys' fees and costs of the suit and for all other relief permitted under the FLSA or deemed reasonable by this Court, including, but not limited to:

a. Declare, pursuant to 29 U.S.C. §§2201 and 2202, that the acts and practices complained of herein are in violation of the maximum hour and minimum wage provisions of the FLSA;

b. Award Plaintiff, and those similarly situated to her (i.e., the other Bodega bartenders), minimum wages in the amount due to her/them for each hour worked in each work week;

c. Award Plaintiff, and those similarly situated to her (i.e., the other Bodega bartenders), tips owed to her/them in the amount due to her for each tip illegally taken from her/them as a result of the invalid tip pool;

d. Award Plaintiff liquidated damages in an amount equal to the minimum wages award and tips illegally taken from Defendants;

e. Award Plaintiff reasonable attorney's fees and costs and expenses of the litigation pursuant to 29 U.S.C. §216(b);

f. Award Plaintiff pre-judgment interest; and ordering any other further relief the Court deems just and proper.

**JURY TRIAL DEMAND**

Plaintiff demands trial by jury for Counts I - III.

LAW OFFICES OF KEVIN JACKSON, PA  
Attorneys for Plaintiff  
1136 Southeast Third Avenue  
Fort Lauderdale, Florida 33316  
Phone: (954) 779-2272  
Service Email: [filings@krjlaw.com](mailto:filings@krjlaw.com)  
Email: [KJackson@krjlaw.com](mailto:KJackson@krjlaw.com)

BY: 

\_\_\_\_\_  
KEVIN R. JACKSON  
FL BAR NO.: 0153230

AO 440 (Rev. 06/12) Summons in a Civil Action

**UNITED STATES DISTRICT COURT**

for the

Southern District of Florida

LINDSAY BELL (on her own behalf and those  
similarly situated)

*Plaintiff(s)*

v.

1220 MANAGEMENT GROUP,LLC, a Florida Limited  
Liability Company, MH EMPLOYMENT SERVICES,  
LLC., a Florida Liability Company, and  
KEITH MENIN, individually,

*Defendant(s)*

Civil Action No.

**SUMMONS IN A CIVIL ACTION**

To: *(Defendant's name and address)* 1220 MANAGEMENT GROUP,LLC  
c/o Registered Agent, HOWARD N.GALBUT, P.A.  
3050 BISCAYNE BLVD PH-1  
MIAMI, FL 33137

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: The Law Offices of Kevin Jackson, PA  
Kevin R. Jackson, Esq.  
1136 Se 3rd Avenue  
Ft Lauderdale, FL 33316

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.

*CLERK OF COURT*

Date: \_\_\_\_\_

\_\_\_\_\_  
*Signature of Clerk or Deputy Clerk*

AO 440 (Rev. 06/12) Summons in a Civil Action

UNITED STATES DISTRICT COURT

for the

Southern District of Florida

LINDSAY BELL (on her own behalf and those similarly situated)

Plaintiff(s)

v.

1220 MANAGEMENT GROUP,LLC, a Florida Limited Liability Company, MH EMPLOYMENT SERVICES, LLC., a Florida Liability Company, and KEITH MENIN, individually,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) MH EMPLOYMENT SERVICES, LLC c/o Registered Agent, HOWARD N.GALBUT, P.A. 3050 BISCAYNE BLVD PH-1 MIAMI, FL 33137

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:

The Law Offices of Kevin Jackson, PA Kevin R. Jackson, Esq. 1136 Se 3rd Avenue Ft Lauderdale, FL 33316

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.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk



UNITED STATES DISTRICT COURT

for the

Southern District of Florida

LINDSAY BELL (on her own behalf and those similarly situated)

Plaintiff(s)

v.

1220 MANAGEMENT GROUP, LLC, a Florida Limited Liability Company, MH EMPLOYMENT SERVICES, LLC., a Florida Liability Company, and KEITH MENIN, individually,

Defendant(s)

Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address) KEITH MENIN 3050 BISCAYNE BLVD PH-1 MIAMI, FL 33137

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:

The Law Offices of Kevin Jackson, PA Kevin R. Jackson, Esq. 1136 Se 3rd Avenue Ft Lauderdale, FL 33316

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.

CLERK OF COURT

Date: \_\_\_\_\_

Signature of Clerk or Deputy Clerk

JS 44 (Rev. 06/17)

### 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**

LINDSAY BELL (on her own behalf and those similarly situated)

(b) County of Residence of First Listed Plaintiff **Miami-Dade**  
(EXCEPT IN U.S. PLAINTIFF CASES)

(c) Attorneys (Firm Name, Address, and Telephone Number)

Kevin R Jackson, Esq.  
1136 SE 3rd Avenue, Ft Lauderdale, FL 33316  
954-779-2272

**DEFENDANTS**

1220 MANAGEMENT GROUP, LLC; MH EMPLOYMENT SERVICES, LLC; and KEITH MENIN

County of Residence of First Listed Defendant  
(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
- 3 Federal Question (U.S. Government Not a Party)
- 2 U.S. Government Defendant
- 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)

	PTF	DEF		PTF	DEF
Citizen of This State	<input type="checkbox"/> 1	<input type="checkbox"/> 1	Incorporated or Principal Place of Business In This State	<input type="checkbox"/> 4	<input type="checkbox"/> 4
Citizen of Another State	<input type="checkbox"/> 2	<input type="checkbox"/> 2	Incorporated and Principal Place of Business In Another State	<input type="checkbox"/> 5	<input type="checkbox"/> 5
Citizen or Subject of a Foreign Country	<input type="checkbox"/> 3	<input type="checkbox"/> 3	Foreign Nation	<input type="checkbox"/> 6	<input type="checkbox"/> 6

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

Click here for: Nature of Suit Code Descriptions.

CONTRACT	TORTS	FORFEITURE/PENALTY	BANKRUPTCY	OTHER STATUTES	
<input type="checkbox"/> 110 Insurance <input type="checkbox"/> 120 Marine <input type="checkbox"/> 130 Miller Act <input type="checkbox"/> 140 Negotiable Instrument <input type="checkbox"/> 150 Recovery of Overpayment & Enforcement of Judgment <input type="checkbox"/> 151 Medicare Act <input type="checkbox"/> 152 Recovery of Defaulted Student Loans (Excludes Veterans) <input type="checkbox"/> 153 Recovery of Overpayment of Veteran's Benefits <input type="checkbox"/> 160 Stockholders' Suits <input type="checkbox"/> 190 Other Contract <input type="checkbox"/> 195 Contract Product Liability <input type="checkbox"/> 196 Franchise	<b>PERSONAL INJURY</b> <input type="checkbox"/> 310 Airplane <input type="checkbox"/> 315 Airplane Product Liability <input type="checkbox"/> 320 Assault, Libel & Slander <input type="checkbox"/> 330 Federal Employers' Liability <input type="checkbox"/> 340 Marine <input type="checkbox"/> 345 Marine Product Liability <input type="checkbox"/> 350 Motor Vehicle <input type="checkbox"/> 355 Motor Vehicle Product Liability <input type="checkbox"/> 360 Other Personal Injury <input type="checkbox"/> 362 Personal Injury - Medical Malpractice	<input type="checkbox"/> 365 Personal Injury - Product Liability <input type="checkbox"/> 367 Health Care/Pharmaceutical Personal Injury Product Liability <input type="checkbox"/> 368 Asbestos Personal Injury Product Liability <b>PERSONAL PROPERTY</b> <input type="checkbox"/> 370 Other Fraud <input type="checkbox"/> 371 Truth in Lending <input type="checkbox"/> 380 Other Personal Property Damage <input type="checkbox"/> 385 Property Damage Product Liability	<input type="checkbox"/> 625 Drug Related Seizure of Property 21 USC 881 <input type="checkbox"/> 690 Other <b>LABOR</b> <input checked="" type="checkbox"/> 710 Fair Labor Standards Act <input type="checkbox"/> 720 Labor/Management Relations <input type="checkbox"/> 740 Railway Labor Act <input type="checkbox"/> 751 Family and Medical Leave Act <input type="checkbox"/> 790 Other Labor Litigation <input type="checkbox"/> 791 Employee Retirement Income Security Act <b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions	<input type="checkbox"/> 422 Appeal 28 USC 158 <input type="checkbox"/> 423 Withdrawal 28 USC 157 <b>PROPERTY RIGHTS</b> <input type="checkbox"/> 820 Copyrights <input type="checkbox"/> 830 Patent <input type="checkbox"/> 835 Patent - Abbreviated New Drug Application <input type="checkbox"/> 840 Trademark <b>SOCIAL SECURITY</b> <input type="checkbox"/> 861 HIA (1395ff) <input type="checkbox"/> 862 Black Lung (923) <input type="checkbox"/> 863 DIWC/DIWW (405(g)) <input type="checkbox"/> 864 SSID Title XVI <input type="checkbox"/> 865 RSI (405(g)) <b>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	<input type="checkbox"/> 375 False Claims Act <input type="checkbox"/> 376 Qui Tam (31 USC 3729(a)) <input type="checkbox"/> 400 State Reapportionment <input type="checkbox"/> 410 Antitrust <input type="checkbox"/> 430 Banks and Banking <input type="checkbox"/> 450 Commerce <input type="checkbox"/> 460 Deportation <input type="checkbox"/> 470 Racketeer Influenced and Corrupt Organizations <input type="checkbox"/> 480 Consumer Credit <input type="checkbox"/> 490 Cable/Sat TV <input type="checkbox"/> 850 Securities/Commodities/Exchange <input type="checkbox"/> 890 Other Statutory Actions <input type="checkbox"/> 891 Agricultural Acts <input type="checkbox"/> 893 Environmental Matters <input type="checkbox"/> 895 Freedom of Information Act <input type="checkbox"/> 896 Arbitration <input type="checkbox"/> 899 Administrative Procedure Act/Review or Appeal of Agency Decision <input type="checkbox"/> 950 Constitutionality of State Statutes
REAL PROPERTY	CIVIL RIGHTS	PRISONER PETITIONS			
<input type="checkbox"/> 210 Land Condemnation <input type="checkbox"/> 220 Foreclosure <input type="checkbox"/> 230 Rent Lease & Ejectment <input type="checkbox"/> 240 Torts to Land <input type="checkbox"/> 245 Tort Product Liability <input type="checkbox"/> 290 All Other Real Property	<input type="checkbox"/> 440 Other Civil Rights <input type="checkbox"/> 441 Voting <input type="checkbox"/> 442 Employment <input type="checkbox"/> 443 Housing/Accommodations <input type="checkbox"/> 445 Amer. w/Disabilities - Employment <input type="checkbox"/> 446 Amer. w/Disabilities - Other <input type="checkbox"/> 448 Education	<b>Habeas Corpus:</b> <input type="checkbox"/> 463 Alien Detainee <input type="checkbox"/> 510 Motions to Vacate Sentence <input type="checkbox"/> 530 General <input type="checkbox"/> 535 Death Penalty <b>Other:</b> <input type="checkbox"/> 540 Mandamus & Other <input type="checkbox"/> 550 Civil Rights <input type="checkbox"/> 555 Prison Condition <input type="checkbox"/> 560 Civil Detainee - Conditions of Confinement			

**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 (specify)
- 6 Multidistrict Litigation - Transfer
- 8 Multidistrict Litigation - Direct File

**VI. CAUSE OF ACTION**

Cite the U.S. Civil Statute under which you are filing (Do not cite jurisdictional statutes unless diversity):  
 29 USC 201 et. al.  
 Brief description of cause:  
 FLSA - unpaid minimum wage and retaliation

**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

DOCKET NUMBER

DATE 7/3/17

SIGNATURE OF ATTORNEY OF RECORD

FOR OFFICE USE ONLY

RECEIPT #      AMOUNT      APPLYING IFP      JUDGE      MAG. JUDGE

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [1220 Management Group Hit with Four FLSA Class Actions in One Day](#)

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