

**IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF GEORGIA
ATLANTA DIVISION**

**AMELLIA HOGAN, JAN EPHRIAM,
and OLIVIA HAYNES, Individually and
on Behalf of All Those Similarly Situated,**

Plaintiffs,

v.

**GEORGIA CHAMPIONSHIP BARBEQUE
COMPANY, and ARICK WHITSON,
Jointly and Severally,**

Defendants.

Case No.: _____

**COLLECTIVE ACTION COMPLAINT
(Jury Trial Demanded)**

Plaintiffs, Amellia Hogan, Jan Ephriam, and Olivia Haynes, individually, and on behalf of all others similarly situated, upon personal knowledge as to themselves and upon information and belief as to other matters, allege as follows:

NATURE OF THE ACTION

1. Defendants are in the restaurant industry. Plaintiffs worked for Georgia

Championship Barbeque Company performing various job duties such prepping ingredients, cutting meat, preparing side items, mopping floors, cleaning freezers and serving patrons in the restaurants.

2. Plaintiffs worked 58 hours per week. Despite working well in excess of 40 hours, Plaintiff Hogan earned a weekly salary of \$325; Plaintiff Ephriam earned a weekly salary of \$400; and Plaintiff Haynes earned a weekly salary of \$350.¹

3. The exact number of employees that have suffered similar injuries as Plaintiffs is unknown at this time, but is believed to be at least 15.

4. Plaintiffs bring this action on behalf of themselves and all others similarly situated employees of Defendants, to recover unpaid minimum wages and overtime wages, owed to them pursuant to the Fair Labor Standards Act (FLSA), 29 U.S.C. §§ 201 et seq, and supporting regulations.

JURISDICTION AND VENUE

5. This Court has subject matter jurisdiction over this matter pursuant to 28 U.S.C. §§ 1331, 1337, 1343. In addition, the Court has jurisdiction over Plaintiffs'

¹ The minimum wage is \$7.25 per hour under the FLSA. At 58 hours per week, at straight-time wages, \$7.25 multiplied by 58 hours, equals \$420.50 in minimum wages per week. This does not include overtime wages due. It appears from a review of Plaintiffs' paystubs, that the Defendants have also failed to pay proper employment taxes for these employees.

claims under the FLSA pursuant to 29 U.S.C. § 216(b).

6. Venue is proper in this district pursuant to 28 U.S.C. § 1391 because a substantial part of the events or omissions leading to this claim occurred while Plaintiffs performed work for Georgia Championship Barbecue Company, located at 72 HWY 138 West, Stockbridge, GA, 30281, which is in Henry County.

7. This Court is empowered to issue a declaratory judgment pursuant to 28 U.S.C. §§ 2201 and 2202.

THE PARTIES

Plaintiffs:

8. Plaintiff Hogan resides at 5771 Trammell Road, Morrow, Georgia, 30260, which is in Clayton County.

9. Plaintiff Ephriam resides at 2870 Botany Drive, Jonesboro, Georgia 30236, which is in Clayton County.

10. Plaintiff Haynes resides at 210 East Pershing street, Prichard, Alabama 36610, which is in Mobile County.

Defendants:

11. Defendant, Georgia Championship Barbecue Company, is an active Georgia

corporation. Its principal place of business 72 HWY 138 West, Stockbridge, GA, 30281, which is in Henry County.

12. Upon information and belief, Defendant Arick Whitson is an owner, officer, director and/or managing agent of Georgia Championship Barbeque Company. Mr. Whitson's address is 72 HWY 138 West, Stockbridge, GA 30281, which is in Henry County.

13. Arick Whitson (the "Individual Defendant") participated in the day-to-day operations of Georgia Championship Barbeque Company. Mr. Whitson is considered an "employer" pursuant to the FLSA, 29 U.S.C. § 203(d), and the regulations promulgated under 29 C.F.R. § 791.2, and is jointly and severally liable with Georgia Championship Barbeque Company (the "Corporate Defendant").

14. Upon information and belief, the Individual Defendant jointly set the unlawful payroll policies complained of in this complaint for the Corporate Defendant.

15. At all relevant times, Defendants have been employers of Plaintiffs, and/or joint employers within the meaning of the FLSA.

16. Upon information and belief, at all relevant times, Defendants have had gross revenues in excess of \$500,000, within the meaning of 29 U.S.C. § 203(s)(1)(A)(ii),

as a result of their barbeque restaurant business, catering services, hospitality services, and awards collected in the company name in championship barbeque cooking contests.

17. Additionally, upon information and belief, at all relevant times, Defendants have had employees handling, selling, or otherwise working on goods or materials that have been moved in or produced for commerce by any person working on goods that have been moved or produced for commerce, in that they run a restaurant business that brings in various foods from other states and cooks those foods to be served to restaurant patrons, within the meaning of 29 U.S.C. § 203(s)(1)(A)(i).

STATEMENT OF FACTS

18. At all relevant times, Defendants have been in the restaurant industry, serving customers barbeque cuisine.

19. Upon information and belief, Defendants receive thousands of dollars each year in winnings from various barbeque cooking contests which they do not report as income to the Internal Revenue Service. Additionally, Defendants receive thousands of dollars from private catering and performing hospitality services,

which is not fully reported as income.²

20. Upon information and belief, the Individual Defendant handles payroll and record keeping for the Corporate Defendant, and is actively involved with the Corporate Defendant's day-to-day operations.

21. Defendants' restaurant was typically open from 11 a.m. to 9 pm. However, on Sundays, the restaurant hours were from 12 p.m. to 8 p.m.

22. Plaintiffs were required to arrive 30 minutes earlier than their shift to cook and clean, and were usually required to stay 1 hour and 30 minutes after closing to clean up.

23. As a result, from Wednesday to Saturday, Plaintiffs typically worked from approximately 10:30 a.m. to 10:30 pm (12 hours). On Sundays, Plaintiffs worked from 12 p.m. to 9:30 p.m. (9.5 hours). Sometimes, Plaintiffs were required to work later hours, and did not leave until 11 p.m. Thus, the total hours worked was approximately 58 hours per week.

24. Plaintiffs were not permitted a lunch break. Plaintiffs would eat at random

² As a result of this unreported income, Defendants are well over the \$500,000 threshold for enterprise coverage under the FLSA. *See* para. 16 of this Complaint.

times throughout their day when there was a lull in customer demand, but never had an actual rest break.

25. Plaintiff Hogan was employed by Defendants as a cutter in the kitchen. Ms. Hogan's job duties included cutting various meats, and also preparing side items for the restaurant. Ms. Hogan was employed with Defendants from June 23, 2017 until April 21, 2017 (8 weeks). Hogan was paid \$325 per week, and worked 58 hours per week.

26. Plaintiff Ephriam was employed by Defendants as a kitchen manager. However, Ms. Ephriam spent well over 90% of her time performing job duties such as cutting meat and preparing side items for the restaurant. Ms. Ephriam was employed with Defendants from February 22, 2017 until August 6, 2017 (24 weeks). Ephriam was paid \$400 per week, and worked 58 hours per week.

27. Plaintiff Haynes was employed by Defendants as cutter. Her job duties were cut and prepare meat for service, prepare side items, mop floors, and clean the kitchen. Haynes was employed with Defendants from August 1, 2015 until April 30, 2017 (91 weeks). Haynes was paid \$350 per week, and worked 58 hours per week.

28. Plaintiffs were paid on a salary basis each week, below \$455 per week, and

received no overtime wages despite working well in excess of 40 hours per week.

29. This failure to pay overtime wages and pay at least minimum wages to these hourly employees can only be considered a willful violation of the FLSA, within the meaning of 29 U.S.C. § 255(a).

STATEMENT OF CLAIM

30. Ms. Hogan worked 58 hours per week, which includes 40 regular hours and 18 overtime hours. Ms. Hogan was paid a flat salary on a weekly basis of \$325. \$325 divided by 58 hours, equals \$5.60, which is less than the statutorily mandated minimum wage rate of \$7.25. For her liquidated damages, Ms. Hogan is owed a rate of double the minimum wage, which is \$14.50 per hour. \$14.50 per hour multiplied by 40 hours equals \$580 in minimum wage damages per week. \$580 in minimum wage damages multiplied by eight weeks of employment, equals \$4,640 in minimum wage damages.

31. Plaintiff Hogan has a time-and-a-half overtime rate of \$10.88 per hour, based on the \$7.25 minimum wage rate. \$10.88 per hour multiplied by 18 overtime hours, equals \$1,556.72 of unpaid overtime per week. If the Court grants liquidated damages, Ms. Hogan will receive \$1,557.72 multiplied by two, which equals

\$3,133.44 in overtime wages. \$4,640 minimum damages plus \$3,133.44 in overtime damages, equals \$7,773.44 in total damages for Ms. Hogan.

32. Ms. Hogan did receive a salary of \$325 per week for her eight weeks of employment, which totals \$2,600. Therefore, \$7,773.44 in damages is subtracted by \$2,600 in salary already paid, which means Ms. Hogan is owed \$5,173.44 in final damages.

33. Ms. Ephriam worked 58 hours per week, which includes 40 regular hours and 18 overtime hours. Ms. Ephriam was paid a flat salary on a weekly basis of \$400. \$400 divided by 58 hours worked is \$6.90, which is less than the statutorily mandated minimum wage rate of \$7.25. For her liquidated damages, Ms. Ephraim is owed a rate of double the minimum wage, which is \$14.50 per hour. \$14.50 per hour multiplied by 40 hours equals \$580 in minimum wage damages per week. \$580 in minimum wage damages multiplied by 24 weeks of employment, equals \$13,920 in minimum wage damages.

34. Ms. Ephraim's overtime wage rate of \$10.88 per hour, multiplied by her 18 overtime hours, equals \$195.84 in unpaid overtime pay per week. \$195.84 overtime wages per week multiplied by 24 weeks, equals \$4,700.16 in overtime damages. If

the Court grants liquidated damages in this case, \$4,700.16 is multiplied by two, which equals \$9,400.32. \$13,920 in minimum wages plus \$9,400.32 in overtime wages, equals total damages of \$23,320.32.

35. Ms. Ephraim did receive a salary of \$400 per week during her employment. \$400 per week multiplied by 24 weeks, equals \$9,600. \$23,320.32 in total damages subtracted by \$9,600 salary already paid, equals \$13,720.32. Thus, Ms. Ephraim is owed final damages of \$13,720.32.

36. Ms. Haynes worked 58 hours per week, which includes 40 regular hours and 18 overtime hours. Ms. Ephraim was paid a flat salary on a weekly basis of \$350. \$350 divided by 58 hours worked is \$6.03, which is less than the statutorily mandated minimum wage rate of \$7.25. For her liquidated damages, Ms. Haynes is owed a rate of double the minimum wage, which is \$14.50 per hour. \$14.50 per hour multiplied by 40 hours equals \$580 in minimum wage damages per week. \$580 in minimum wage damages multiplied by 91 weeks of employment, equals \$52,780 in minimum wage damages.

37. Ms. Haynes' overtime wage rate is \$10.88 per hour, based on the \$7.25 minimum wage. \$10.88 per hour multiplied by 18 overtime hours, equals \$195.84

in overtime wages per week. \$195.84 in overtime wages multiplied by 91 weeks, equals \$17,821.44 in unpaid overtime wages. If the Court grants liquidated damages in this case, \$17,821.44 is multiplied by 2, which equals \$35,642.88 in overtime damages. \$52,780 in minimum wage damages plus \$35,642.88 in overtime damages, equals \$88,422.88.

38. Ms. Haynes was paid a salary of \$350 per week during her employment. \$350 per week multiplied by 91 weeks, equals \$31,850. \$88,422.88 minus \$31,850, equals \$56,572.88. Thus, Ms. Haynes is owed final damages \$56,572.88.

39. In sum, the damages for all plaintiffs are: Hogan \$5,173.44, Ephraim \$13,720.32, and Haynes \$56,572.88, which equals **\$75,466.64**.

FLSA COLLECTIVE ACTION ALLEGATIONS

40. Pursuant to 29 U.S.C. §§ 207 & 216(b), Plaintiffs brings their First and Second Causes of Action as a collective action under the FLSA on behalf of themselves and the following collective:

All persons employed by Defendants, at any time since January 7, 2015, and through the entry of judgment in this case (the “Collective Action Period”) who worked as cooks, cutters, servers, preppers, managers and all other similarly situated hourly employees (the “Collective Action Members”).

41. A collective action is appropriate in this circumstance because Plaintiffs and the Collective Action Members are similarly situated, in that they were all subjected to Defendants' illegal policy of failing to pay at least minimum wage for regular hours worked and failing to pay overtime premiums for work performed in excess of 40 hours per week. As a result of this policy, Plaintiffs and the Collective Action Members did not receive the legally-required minimum wage rate for all hours worked and overtime premium payments for all hours worked in excess of 40 hours per week.

42. The exact number of employees who have suffered a similar injury as Plaintiffs is unknown at this time, but is believed to be at least 15.

FRST CAUSE OF ACTION

FAIR LABOR STANDARDS ACT – UNPAID MINIMUM WAGES

43. Plaintiffs, on behalf of themselves, the Collective Action Members, and other Class Members, repeat and reallege each and every allegation of the preceding paragraphs hereof with the same force and effect as though fully set forth herein.

44. As a result of Defendants' failure to compensate its employees, including Plaintiffs and the Collective Action Members, at least a minimum wage of \$7.25

per hour for all hours worked, the Defendants have violated and continue to violate the FLSA, U.S.C. § 206(a), for which the Plaintiffs and the Collective Action Members are entitled to relief pursuant to 29 U.S.C. § 216(b).

45. Defendants have failed to pay minimum wage to these hourly employees, with no colorable argument as to why these workers are exempt. This constitutes a willful violation of the FLSA within the meaning of 29 U.S.C. § 255(a).

46. The failure to pay overtime has caused Plaintiffs to suffer lost wages and interest thereon. Plaintiffs and Collective Action Members are entitled to recover from Defendants their unpaid minimum wage compensation, liquidated damages, attorney's fees, and costs and disbursements of the action pursuant to 29 U.S.C. § 216(b).

SECOND CAUSE OF ACTION
FAIR LABOR STANDARDS ACT – UNPAID OVERTIME

47. Plaintiffs, on behalf of themselves, the Collective Action Members, and other Class Members, repeat and reallege each and every allegation of the preceding paragraphs hereof with the same force and effect as though fully set forth herein.

48. As a result of Defendants' failure to compensate its employees, including

Plaintiffs and the Collective Action Members, at a rate of not less than one and one-half times their regular rate of pay for work performed in excess of 40 hours per week, Defendants have violated and continue to violate the FLSA, 29 U.S.C. § 201 *et seq.*, including 29 U.S.C. § 207(a)(1), for which Plaintiffs and the Collective Action Members are entitled to relief pursuant to 29 U.S.C. 216(b).

49. Defendants have failed to pay overtime to these hourly employees, with no colorable argument as to why these workers are exempt. This constitutes a willful violation of the FLSA within the meaning of 29 U.S.C. § 255(a).

50. The failure to pay overtime has caused Plaintiffs to suffer lost wages and interest thereon. Plaintiffs and Collective Action Members are entitled to recover from Defendants their unpaid overtime premium compensation, liquidated damages, attorney's fees, and costs and disbursements of the action pursuant to 29 U.S.C. § 216(b).

PRAYER FOR RELIEF

Therefore, Plaintiffs respectfully requests that this Court grant the following relief:

a. An order tolling the relevant statutes of limitations;

- b. An order declaring that Defendants violated the FLSA;
- c. An award of unpaid minimum wages due under the FLSA;
- d. An award of unpaid overtime wages due under the FLSA;
- e. An award of liquidated and/or punitive damages as a result of Defendant's willful failure to pay overtime wages
- f. An award of prejudgment and post-judgment interest;
- g. An award of costs and expenses of this action together with attorney's fees;
- h. Such other and further relief and this Court deems just and proper.

DEMAND FOR TRIAL BY JURY

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs demands a trial by jury on all questions of fact raised by the complaint.

Dated: January 7, 2018

Respectfully submitted,

s/ Brandon A. Thomas
BRANDON A. THOMAS
GA BAR NO.: 742344

The Law Offices of Brandon A. Thomas, PC
1800 Peachtree Street, N.W., Suite 300
Atlanta, GA 30309
Tel: (404) 343-2441

Fax: (404) 352-5636
brandon@brandonthomaslaw.com

CIVIL COVER SHEET

The JS44 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 is required for the use of the Clerk of Court for the purpose of initiating the civil docket record. (SEE INSTRUCTIONS ATTACHED)

I. (a) PLAINTIFF(S)

*Amellia Hogan, Jan Ephraim, and Olivia Haynes,
Individually and on behalf of all those similarly situated.*

DEFENDANT(S)

Georgia Championship Barbeque Company and Arick Whitson,
Jointly and Severally

(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF Clayton
(EXCEPT IN U.S. PLAINTIFF CASES)

COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT Henry
(IN U.S. PLAINTIFF CASES ONLY)

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

(c) ATTORNEYS (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)

The Law Offices of Brandon A. Thomas, PC
1800 Peachtree Street, Suite 300
Atlanta, GA 30309
(404) 343-2441
brandon@brandonthomaslaw.com

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)
(FOR DIVERSITY CASES ONLY)

- | | | | | | |
|----------------------------|----------------------------|---|----------------------------|----------------------------|---|
| PLF | DEF | | PLF | DEF | |
| <input type="checkbox"/> 1 | <input type="checkbox"/> 1 | CITIZEN OF THIS STATE | <input type="checkbox"/> 4 | <input type="checkbox"/> 4 | INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE |
| <input type="checkbox"/> 2 | <input type="checkbox"/> 2 | CITIZEN OF ANOTHER STATE | <input type="checkbox"/> 5 | <input type="checkbox"/> 5 | INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE |
| <input type="checkbox"/> 3 | <input type="checkbox"/> 3 | CITIZEN OR SUBJECT OF A FOREIGN COUNTRY | <input type="checkbox"/> 6 | <input type="checkbox"/> 6 | FOREIGN NATION |

IV. 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 District)
- 6 MULTIDISTRICT LITIGATION - TRANSFER
- 7 APPEAL TO DISTRICT JUDGE FROM MAGISTRATE JUDGE JUDGMENT
- 8 MULTIDISTRICT LITIGATION - DIRECT FILE

V. CAUSE OF ACTION

(CITE THE U.S. CIVIL STATUTE UNDER WHICH YOU ARE FILING AND WRITE A BRIEF STATEMENT OF CAUSE - DO NOT CITE JURISDICTIONAL STATUTES UNLESS DIVERSITY)

*Fair Labor Standards Act (FLSA), 29 U.S.C. §§ 201 et seq.
Defendants have failed to pay minimum wages and overtime wages for all hours worked.*

(IF COMPLEX, CHECK REASON BELOW)

- 1. Unusually large number of parties.
- 2. Unusually large number of claims or defenses.
- 3. Factual issues are exceptionally complex
- 4. Greater than normal volume of evidence.
- 5. Extended discovery period is needed.
- 6. Problems locating or preserving evidence
- 7. Pending parallel investigations or actions by government.
- 8. Multiple use of experts.
- 9. Need for discovery outside United States boundaries.
- 10. Existence of highly technical issues and proof.

CONTINUED ON REVERSE

FOR OFFICE USE ONLY

RECEIPT # _____ AMOUNT \$ _____ APPLYING IFP _____ MAG. JUDGE (IFP) _____
 JUDGE _____ MAG. JUDGE _____ NATURE OF SUIT _____ CAUSE OF ACTION _____
 (Referral)

VI. NATURE OF SUIT (PLACE AN "X" IN ONE BOX ONLY)

CONTRACT - "0" MONTHS DISCOVERY TRACK

- 150 RECOVERY OF OVERPAYMENT & ENFORCEMENT OF JUDGMENT
152 RECOVERY OF DEFAULTED STUDENT LOANS (Excl. Veterans)
153 RECOVERY OF OVERPAYMENT OF VETERAN'S BENEFITS

CONTRACT - "4" MONTHS DISCOVERY TRACK

- 110 INSURANCE
120 MARINE
130 MILLER ACT
140 NEGOTIABLE INSTRUMENT
151 MEDICARE ACT
160 STOCKHOLDERS' SUITS
190 OTHER CONTRACT
195 CONTRACT PRODUCT LIABILITY
196 FRANCHISE

REAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 210 LAND CONDEMNATION
220 FORECLOSURE
230 RENT LEASE & EJECTMENT
240 TORTS TO LAND
245 TORT PRODUCT LIABILITY
290 ALL OTHER REAL PROPERTY

TORTS - PERSONAL INJURY - "4" MONTHS DISCOVERY TRACK

- 310 AIRPLANE
315 AIRPLANE PRODUCT LIABILITY
320 ASSAULT, LIBEL & SLANDER
330 FEDERAL EMPLOYERS' LIABILITY
340 MARINE
345 MARINE PRODUCT LIABILITY
350 MOTOR VEHICLE
355 MOTOR VEHICLE PRODUCT LIABILITY
360 OTHER PERSONAL INJURY
362 PERSONAL INJURY - MEDICAL MALPRACTICE
365 PERSONAL INJURY - PRODUCT LIABILITY
367 PERSONAL INJURY - HEALTH CARE/ PHARMACEUTICAL PRODUCT LIABILITY
368 ASBESTOS PERSONAL INJURY PRODUCT LIABILITY

TORTS - PERSONAL PROPERTY - "4" MONTHS DISCOVERY TRACK

- 370 OTHER FRAUD
371 TRUTH IN LENDING
380 OTHER PERSONAL PROPERTY DAMAGE
385 PROPERTY DAMAGE PRODUCT LIABILITY

BANKRUPTCY - "0" MONTHS DISCOVERY TRACK

- 422 APPEAL 28 USC 158
423 WITHDRAWAL 28 USC 157

CIVIL RIGHTS - "4" MONTHS DISCOVERY TRACK

- 440 OTHER CIVIL RIGHTS
441 VOTING
442 EMPLOYMENT
443 HOUSING/ ACCOMMODATIONS
445 AMERICANS with DISABILITIES - Employment
446 AMERICANS with DISABILITIES - Other
448 EDUCATION

IMMIGRATION - "0" MONTHS DISCOVERY TRACK

- 462 NATURALIZATION APPLICATION
465 OTHER IMMIGRATION ACTIONS

PRISONER PETITIONS - "0" MONTHS DISCOVERY TRACK

- 463 HABEAS CORPUS- Alien Detainee
510 MOTIONS TO VACATE SENTENCE
530 HABEAS CORPUS
535 HABEAS CORPUS DEATH PENALTY
540 MANDAMUS & OTHER
550 CIVIL RIGHTS - Filed Pro se
555 PRISON CONDITION(S) - Filed Pro se
560 CIVIL DETAINEE: CONDITIONS OF CONFINEMENT

PRISONER PETITIONS - "4" MONTHS DISCOVERY TRACK

- 550 CIVIL RIGHTS - Filed by Counsel
555 PRISON CONDITION(S) - Filed by Counsel

FORFEITURE/PENALTY - "4" MONTHS DISCOVERY TRACK

- 625 DRUG RELATED SEIZURE OF PROPERTY 21 USC 881
690 OTHER

LABOR - "4" MONTHS DISCOVERY TRACK

- 710 FAIR LABOR STANDARDS ACT
720 LABOR/MGMT. RELATIONS
740 RAILWAY LABOR ACT
751 FAMILY and MEDICAL LEAVE ACT
790 OTHER LABOR LITIGATION
791 EMPL. RET. INC. SECURITY ACT

PROPERTY RIGHTS - "4" MONTHS DISCOVERY TRACK

- 820 COPYRIGHTS
840 TRADEMARK

PROPERTY RIGHTS - "8" MONTHS DISCOVERY TRACK

- 830 PATENT
835 PATENT-ABBREVIATED NEW DRUG APPLICATIONS (ANDA) - a/k/a Hatch-Waxman cases

SOCIAL SECURITY - "0" MONTHS DISCOVERY TRACK

- 861 HIA (1395ff)
862 BLACK LUNG (923)
863 DIWC (405(g))
863 DIWW (405(g))
864 SSID TITLE XVI
865 RSI (405(g))

FEDERAL TAX SUITS - "4" MONTHS DISCOVERY TRACK

- 870 TAXES (U.S. Plaintiff or Defendant)
871 IRS - THIRD PARTY 26 USC 7609

OTHER STATUTES - "4" MONTHS DISCOVERY TRACK

- 375 FALSE CLAIMS ACT
376 Qui Tam 31 USC 3729(a)
400 STATE REAPPORTNMENT
430 BANKS AND BANKING
450 COMMERCE/ICC RATES/ETC.
460 DEPORTATION
470 RACKETEER INFLUENCED AND CORRUPT ORGANIZATIONS
480 CONSUMER CREDIT
490 CABLE/SATELLITE TV
890 OTHER STATUTORY ACTIONS
891 AGRICULTURAL ACTS
893 ENVIRONMENTAL MATTERS
895 FREEDOM OF INFORMATION ACT
899 ADMINISTRATIVE PROCEDURES ACT / REVIEW OR APPEAL OF AGENCY DECISION
950 CONSTITUTIONALITY OF STATE STATUTES

OTHER STATUTES - "8" MONTHS DISCOVERY TRACK

- 410 ANTI TRUST
850 SECURITIES / COMMODITIES / EXCHANGE

OTHER STATUTES - "0" MONTHS DISCOVERY TRACK

- 896 ARBITRATION (Confirm / Vacate / Order / Modify)

* PLEASE NOTE DISCOVERY TRACK FOR EACH CASE TYPE. SEE LOCAL RULE 26.3

VII. REQUESTED IN COMPLAINT:

CHECK IF CLASS ACTION UNDER F.R.Civ.P. 23 DEMAND \$

JURY DEMAND YES NO (CHECK YES ONLY IF DEMANDED IN COMPLAINT)

VIII. RELATED/REFILED CASE(S) IF ANY

JUDGE DOCKET NO.

CIVIL CASES ARE DEEMED RELATED IF THE PENDING CASE INVOLVES: (CHECK APPROPRIATE BOX)

- 1. PROPERTY INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
2. SAME ISSUE OF FACT OR ARISES OUT OF THE SAME EVENT OR TRANSACTION INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
3. VALIDITY OR INFRINGEMENT OF THE SAME PATENT, COPYRIGHT OR TRADEMARK INCLUDED IN AN EARLIER NUMBERED PENDING SUIT.
4. APPEALS ARISING OUT OF THE SAME BANKRUPTCY CASE AND ANY CASE RELATED THERETO WHICH HAVE BEEN DECIDED BY THE SAME BANKRUPTCY JUDGE.
5. REPETITIVE CASES FILED BY PRO SE LITIGANTS.
6. COMPANION OR RELATED CASE TO CASE(S) BEING SIMULTANEOUSLY FILED (INCLUDE ABBREVIATED STYLE OF OTHER CASE(S)):

7. EITHER SAME OR ALL OF THE PARTIES AND ISSUES IN THIS CASE WERE PREVIOUSLY INVOLVED IN CASE NO. , WHICH WAS DISMISSED. This case IS IS NOT (check one box) SUBSTANTIALLY THE SAME CASE.

SIGNATURE OF ATTORNEY OF RECORD

DATE 1/7/18

ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit Against Georgia Championship Barbeque Co. Alleges Unpaid OT, Unreported Competition Winnings](#)
