

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
NORTHEASTERN DIVISION**

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**STEPHANIE LONG** and **SARAH  
THREET**, Individually, and on behalf  
of themselves and other similarly situated  
current and former employees,

Plaintiffs,

v.

**CASE NO.** \_\_\_\_\_

FLSA Opt-In Collective Action

**SHAMROCK ALLIANCE, LLC** d/b/a  
**HUDDLE HOUSE** and **JASON  
MORGAN**, Individually,

**JURY DEMANDED**

Defendants.

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**COLLECTIVE ACTION COMPLAINT**

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Plaintiffs Stephanie Long and Sarah Threet, individually, and on behalf of themselves and all others similarly situated, hereby file their Collective Action Complaint against Shamrock Alliance, LLC d/b/a Huddle House, and Jason Morgan, individually, and allege as follows:

This lawsuit is brought against Defendants as a collective action under the Federal Fair Labor Standards Act (“FLSA”), 29 U.S.C. § 201, *et seq.*, to recover unpaid overtime compensation and other damages owed to Plaintiffs and other similarly situated current and former general managers who are members of a class as defined herein and currently or previously employed by Defendants.

## **I. JURISDICTION AND VENUE**

1. The FLSA authorizes court actions by private parties to recover damages for violations of FLSA's wage and hour provisions. Jurisdiction over Plaintiffs' FLSA claims are based on 29 U.S.C. § 216(b) and 28 U.S.C. § 1331.
2. Venue in this district is proper pursuant to 28 U.S.C. § 1391(b) and (c) because Plaintiffs were employed by Defendants in this district at all times relevant to this action, Defendants regularly have conducted, continue to conduct business in this district, and have engaged and continue to engage in wrongful conduct alleged herein in this district, during all material times in this cause.

## **II. CLASS DESCRIPTION**

3. Plaintiffs bring this action on behalf of the following similarly situated persons:

All current and former employees classified as General Managers of Defendants in the United States who work (or have worked) at Defendants' restaurants at any time during the applicable limitations period covered by this Collective Action Complaint (*i.e.* two years for FLSA violations and, three years for willful FLSA violations) up to and including the date of final judgment in this matter, and who are the Named Plaintiffs or elect to opt-in to this action pursuant to the FLSA, 29 U.S.C. § 216(b). (Collectively, "the class").<sup>1</sup>

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<sup>1</sup> Plaintiffs reserve the right to modify or amend the Class Description upon newly discovered information gathered through the discovery process.

### **III. PARTIES**

4. Defendant Shamrock Alliance, LLC is a Kentucky limited liability company with its principal office located at 585 Westport Road, Suite B, Elizabethtown, Kentucky 42701. Shamrock Alliance, LLC has been an “employer” of Plaintiffs and similarly situated workers, as that term is defined in the FLSA, 29 U.S.C. §203(d), during the relevant period to this action. According to the Tennessee Secretary of State, Shamrock Alliance, LLC may be served through its registered agent for service of process, CT Corporation System, 800 S Gay Street (Suite 2021), Knoxville, Tennessee 37929-9710.
5. Upon information and belief, Defendant Jason Morgan has been the President and/or Chief Executive Officer of Shamrock Alliance, LLC at all times relevant herein. Upon information and belief, Jason Morgan resides in the State of Kentucky and may be served process at; 585 Westport Road, Suite B, Elizabethtown, Kentucky 37929-9710.
6. Plaintiff Stephanie Long is a resident within this district and was employed by Defendants as a General Manager at one of their Huddle House restaurants within this district during the relevant period herein. (Plaintiff Long’s Consent to Join this collective action is attached hereto as Exhibit A.)
7. Plaintiff Sarah Threet is a resident within this district and was employed by Defendants as a General Manager at one of their Huddle House restaurants within this district during the relevant period herein. (Plaintiff Threet’s Consent to Join this collective action is attached hereto as Exhibit B.)

#### **IV. ALLEGATIONS**

8. Upon information and belief, Defendants own and operate Huddle House franchised restaurants in the states of Kentucky, Tennessee, and some of the other Eastern states within the United States.
9. The primary function of Defendants' Huddle House restaurants is to sell and serve food and beverage items to customers.
10. Defendants have been the "employer" of Plaintiffs and those similarly situated within the meaning of 29 U.S.C. § 203(d) during all times relevant to this collective action lawsuit.
11. Defendants have employed Plaintiffs and those similarly situated and were responsible for establishing and administering their pay and overtime rates of pay under the direction and control of Defendant Jason Morgan during all times relevant to this collective action lawsuit.
12. The decisions regarding the compensation of Plaintiffs and other members of the class, and other terms of employment, were made through a centralized management team under the direction and control of Defendant Jason Morgan.
13. Defendants are and/or have been the "employer" of the Plaintiffs and those similarly situated within the meaning of 29 U.S.C. § 203(d), during all times material to this Collective Action Complaint.
14. Plaintiffs and all other similarly situated persons are/were classified by Defendants as General Managers at their Huddle House restaurants at all times relevant to this action.
15. Defendants employed Plaintiffs and those similarly situated during all times material to this Collective Action Complaint.

16. Defendants have had a centralized, unified, and common plan, policy, and practice (scheme) of establishing and administering pay practices for their employees classified as General Managers, under the direction and control of Defendant Jason Morgan.
17. At all times material to this action, Plaintiffs and other members of the class have been “employees” of Defendants as defined by Section 203(e)(1) of the FLSA.
18. Plaintiffs and those similarly situated have worked for Defendants as General Managers at their Huddle House restaurants located within the territory of the United States within three (3) years preceding the filing of this lawsuit.
19. At all times material to this action, Defendant has been an enterprise engaged in commerce or in the production of goods for commerce as defined by Section 203(s)(1) of the FLSA, with annual revenue in excess of \$500,000.00.
20. Defendants have been subject to the pay requirements of the FLSA because they are an enterprise engaged in interstate commerce and its employees are engaged in interstate commerce, including Plaintiffs and other members of the class, at all times relevant herein.
21. Defendants employ individuals classified as General Managers whose primary duties are non-managerial in nature and whose principal duties have consisted of performing the same type of duties as that of hourly-paid employees, such as cooking, cleaning, washing dishes and utensils, sweeping and mopping floors, serving food, expediting food, cashiering, unloading food trucks, stocking food and supplies, and performing other such non-managerial duties, during all times material. Therefore, Plaintiffs do not qualify as exempt from the FLSA overtime compensation requirements.

22. At all times material to this action, Defendants have had a centralized, unified, and common plan, policy, and practice, to induce, force, expect, encourage, require, and suffer or permit, Plaintiffs and other class members to work however many overtime hours necessary (principally in non-managerial jobs) to stay within Defendants' "budgeted labor" cost for the respective restaurant assigned to them.
23. Pursuant to such centralized, unified, and common plan, policy, and practice, Plaintiff and class members have had to work far in excess of forty (40) hours within weekly pay periods to stay within Defendants "budgeted labor" cost at their assigned restaurant(s) during all times relevant to this action.
24. At all times material to this action, Defendants have had a centralized timekeeping system.
25. Upon information and belief, the overtime hours (hours in excess of 40 per week) of Plaintiffs and members of the class have not been recorded in Defendants' centralized time keeping system during all times material to this action.
26. Defendants have failed to pay Plaintiffs and other class members the applicable FLSA overtime rate for all their hours worked in excess of 40 within weekly pay periods of the statutory limitations' period (at one and one-half times their regular hourly rate of pay), as required by the FLSA.
27. Plaintiffs and other class members, classified as General Managers, who have not been paid overtime compensation for all hours worked in excess of forty (40) hours per week within weekly pay periods, during the relevant statutory limitations' period, are entitled to receive all such overtime compensation due to them from Defendants.

28. The net effect of Defendants' centralized, unified and common plan, policy and practice of failing to pay Plaintiff and other similarly situated employees overtime compensation for all hours worked in excess of forty (40) hours per week within weekly pay periods, was a scheme to save payroll costs and payroll taxes for which Defendants have unjustly enriched themselves and enjoyed ill gained profits at the expense of Plaintiffs and other members of the class.
29. Defendants unlawfully classified and treated Plaintiffs and other class members as exempt from overtime compensation, in violation of the FLSA.
30. Yet, Defendants are unable to bear their burden of showing that Plaintiffs and other class members fall within any of the FLSA overtime exemptions, including but not limited to those announced in 29 C.F.R. §§ 541.300, 541.301, 541.302, 541.303, or 541.304.
31. Although at this stage, Plaintiffs are unable to state the exact amount of unpaid overtime compensation owed them and other members of the class, they believe such information will become available during the course of discovery via Defendants' payroll and timekeeping records. However, when an employer fails to keep complete and accurate time records, employees may establish the hours worked solely by their testimony and the burden of proof of overcoming such testimony shifts to the employer.

## **VI. COLLECTIVE ACTION ALLEGATIONS**

32. The preceding paragraphs are incorporated by reference as if they were fully set forth herein.
33. Plaintiffs bring this collective action on behalf of themselves and all other persons similarly situated pursuant to the FLSA, 29 U.S.C. §§ 206, 207, and 216(b), previously referenced as "the class."

34. Plaintiffs believe the definition of the class could be further refined following discovery of Defendants' books and records.
35. The claims under the FLSA may be pursued by those who opt-in to this case under 29 U.S.C. § 216(b).
36. The members of the class are so numerous that joinder of all other members of the class is impracticable. While the exact number of the other members of the class is unknown to Plaintiffs at this time, and can only be ascertained through applicable discovery, they believe there are more than 50 individuals in the putative class.
37. The claims of Plaintiffs are typical of the claims of the class. Plaintiffs and the other members of the class who work or have worked for Defendants at one or more of their Huddle House franchised restaurants were subjected to the same operational, compensation, and timekeeping plans, policies, and practices, including the failure of Defendants to pay Plaintiffs and other employees classified as General Managers overtime compensation under the FLSA for all hours worked in excess of forty (40) hours per week within weekly pay periods during the relevant statutory limitations' period.
38. Common questions of law and fact exist as to the class which predominate over any questions only affecting other members of the class individually and include, but are not limited to, the following:
  - Whether Plaintiffs and other members of the class were misclassified as exempt from the overtime requirements of the FLSA;
  - Whether Plaintiffs and other members of the class were induced, forced, expected, encouraged, required and/or suffered, and permitted to work hours in excess of forty (40) per week, without being paid overtime compensation for such work, as required by the FLSA.
  - Whether Defendants suffered and permitted Plaintiffs and other members of the class to work hours without compensation, including hours in excess of forty (40)



per week within weekly pay periods during the relevant statutory limitations' period;

- Whether Defendants failed to pay Plaintiffs and other members of the class all overtime compensation due them for all hours worked in excess of forty (40) hours per week within weekly pay period during the relevant statutory limitations' period;
- The correct statutes of limitations for Plaintiffs' claims and the claims of the other members of the class;
- Whether Plaintiffs and other members of the class are entitled to damages, including but not limited to liquidated damages, and the measure of the damages; and
- Whether Defendants are liable for interest, attorneys' interest, fees, and costs to Plaintiffs and other class members;

39. Plaintiffs will fairly and adequately protect the interests of the class as their interests are aligned with those of the other members of the class. Plaintiffs have no interests adverse to the class and have retained competent counsel who are experienced in collective action litigation to represent them in this action.

40. Collective action mechanism is superior to the other available methods for a fair and efficient adjudication of the controversy. The expenses, costs, and burden of litigation suffered by individual other members of the class in a collective action are relatively small in comparison to the expenses, costs, and burden of litigation of individual actions, making it virtually impossible for other members of the class to individually seek address for the wrongs done to them.

41. Plaintiffs and other members of the class have suffered and will continue to suffer irreparable damage from the unlawful compensation policies, practices, and procedures implemented and administered by Defendants.

## COUNT I

### FLSA OVERTIME COMPENSATION CLASS CLAIMS

42. Plaintiffs, on behalf of themselves and the class, repeat and re-allege Paragraphs 1 through 41 above, as if they were fully set forth herein.
43. At all relevant times, Defendants have been and continue to be an employer engaged in interstate commerce within the meaning of the FLSA, 29 U.S.C. §§ 206(a) and 207(a). Plaintiffs and other class members also have engaged in interstate commerce during all relevant times to this action.
44. At all relevant times, Defendants have employed (and/or continue to employ) Plaintiffs and each of the other members of the class within the meaning of the FLSA.
45. As previously described, Defendants have had a centralized, unified, and common plan, policy, and practice of misclassifying Plaintiffs and other class members as exempt from receiving the applicable FLSA overtime rate of pay for all hours worked in excess of 40 within weekly pay periods during all times material to this action.
46. Considering the aforementioned allegations and description of Plaintiffs and class members performing non-managerial duties for a vast majority of time each work week of their employment, Plaintiffs and class members did not qualify to be exempt from receiving the applicable FLSA overtime rate of pay for all hours worked in excess of 40 within weekly pay periods during all times material to this action.
47. Defendants are unable to bear the burden of showing that Plaintiffs and other class members fall within any of the FLSA overtime exemptions, including but not limited to those announced in 29 C.F.R. §§ 541.300, 541.301, 541.302, 541.303, or 541.304.

48. The misclassified claims of Plaintiffs and class members, resulting from Defendants' failure to pay them for all hours worked in excess of 40 at the applicable FLSA overtime rate of pay within weekly pay periods during all times relevant herein, are unified by a common theory of Defendant's FLSA statutory violations.
49. Plaintiffs and class members worked for Defendants far in excess of 40 hours within weekly pay periods of the statutory limitations' period without being compensated for such overtime hours at the applicable FLSA rate of pay.
50. As previously addressed, Plaintiffs and class members were induced, forced, expected, required and/or suffered and permitted, to work all overtime hours necessary within weekly pay periods during the statutory limitations' period to stay within Defendants' "budgeted labor" cost, in keeping with Defendants' centralized, unified, and common "budgeted labor" plans, policies and practices.
51. Defendants have had a centralized, unified, and common plan, policy, and practice of willfully failing to pay the federal applicable overtime compensation to Plaintiffs and other members of the class for all hours worked in excess of forty (40) hours per week within weekly pay periods during the relevant statutory limitations' period.
52. At all times relevant, Defendants have had actual and/or constructive knowledge of willfully failing to pay the federal applicable overtime compensation rate to Plaintiffs and other members of the class for all hours worked in excess of forty (40) hours per week within weekly pay periods during the relevant statutory limitations' period.
53. Defendants did not have a good faith basis for their failure to pay the federal applicable overtime compensation to Plaintiffs and other members of the class for all hours worked

in excess of forty (40) hours per week within weekly pay periods during the relevant statutory limitations' period.

54. As a result of Defendants' willful failure to pay Plaintiffs and other members of the class the applicable federal overtime compensation rate for all hours worked over forty (40) per week within weekly pay periods during the relevant statutory limitations' period, they have violated the FLSA, 29 U.S.C. §§ 201, *et seq.*
55. Defendants' aforementioned conduct constitutes a willful violation of the FLSA within the meaning of 29 U.S.C. § 255(a).
56. Due to Defendants' willful FLSA violations and lack of a good faith basis in the failure to pay Plaintiffs and other members of the class the applicable FLSA overtime compensation for all hours worked in excess of forty (40) hours per week within weekly pay periods during the relevant statutory limitations' period, Plaintiffs and the class are entitled to recover, and hereby seek to recover, from Defendants compensation for unpaid overtime wages, an additional equal amount as liquidated damages, as well as interest, reasonable attorneys' fees, costs, and disbursements relating to this action for the three-year statutory period under the FLSA, 29 U.S.C. § 216(b).

#### **PRAYER FOR RELIEF**

Wherefore, Plaintiffs, individually, and on behalf of themselves and all other similarly situated members of the class, demand judgment against Defendants as well as to request this Court to grant the following relief against said Defendants:

- A. An Order designating this action as an opt-in collective action on behalf of the class for claims under the FLSA and promptly issuing notice pursuant to 29 U.S.C. § 216 for the claims of the class, apprising class members of the pendency

of this action and permitting other members of the class to assert timely FLSA claims resulting from the same policy or practice of misclassification by filing individual Consents under 29 U.S.C. § 216(b);

- B. An award of compensation for unpaid overtime wages to Plaintiffs and other members of the class;
- C. An award of liquidated damages to Plaintiffs and other members of the class;
- D. An award of prejudgment and post-judgment interest at the rate established by the Secretary of the Treasury, pursuant to 29 U.S.C. § 6221, from the date they became due until the date they are paid;
- E. An award of costs, expenses, and disbursements relating to this action together with reasonable attorneys' fees and expert fees to Plaintiffs and other members of the class;
- F. A ruling that the three-year statutory period for willful violations under the FLSA shall apply in this action;
- G. All applicable statutory and common law damages;
- H. A Declaration that Plaintiffs and other members of the class were misclassified as exempt from the payment of overtime compensation, and therefore are entitled to unpaid overtime damages and other common law or statutory damages to be proven at trial;
- I. A Declaration that Defendants have willfully violated the FLSA;
- J. An Order appointing Plaintiffs and their counsel to represent those individuals opting in to the collective action; and
- K. Such other general and specific relief as this Court deems just and proper.

**JURY TRIAL DEMAND**

Pursuant to Rule 38(b) of the Federal Rules of Civil Procedure, Plaintiffs demand a **trial by jury** on all issues so triable.

Dated: November 29, 2017

Respectfully Submitted,

*s/Gordon E. Jackson*

Gordon E. Jackson (TN BPR #08323)

James L. Holt, Jr. (TN BPR #12123)

J. Russ Bryant (TN BPR #33830)

Paula R. Jackson (TN BPR #20149)

**JACKSON, SHIELDS, YEISER & HOLT**

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*Attorneys for the Named Plaintiffs, on behalf of themselves and all other similarly situated current and former employees*

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF TENNESSEE  
COOKEVILLE DIVISION**

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**STEPHANIE LONG and SARAH  
THREET**, Individually, and on behalf  
of themselves and other similarly situated  
current and former employees,

Plaintiffs,

v.

**CASE NO.** \_\_\_\_\_

FLSA Opt-In Collective Action

**SHAMROCK ALLIANCE, d/b/a  
HUDDLE HOUSE and JASON  
MORGAN**, Individually,

**JURY DEMANDED**

Defendants,

---

**CONSENT TO JOIN**

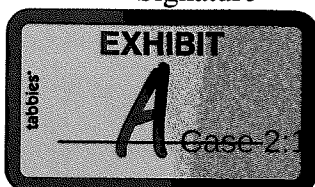
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1. I have been employed by Defendants and classified as a General Manager at a one or more of their restaurants within the past three (3) years.
2. I hereby consent to join this or any subsequent action against the Defendants as a Party-Plaintiff to assert claims for unpaid overtime compensation in violation of the FLSA 29 U.S.C. § 201, *et seq.*, as specified in the Complaint.
3. I understand this lawsuit is brought under the Fair Labor Standards Act of 1938, as amended, 29 U.S.C. § 216(b), *et seq.* I hereby consent, agree, and opt-in to become a Party-Plaintiff in this action.
4. I agree to be represented by Jackson, Shields, Yeiser & Holt and Attorneys Gordon E. Jackson, James L. Holt, Jr., J. Russ Bryant, and Paula R. Jackson, counsel for the Named Plaintiff, as well as any other attorneys with whom they may associate.
5. If this case does not proceed collectively, I also consent to join any subsequent action to assert claims against the Defendants and any other related entities for unpaid wages.

Stephanie Long  
Signature

11-29-17  
Date

Stephanie Long  
Full Legal Name







# 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**  
STEPHANIE LONG, et al.,

**(b)** County of Residence of First Listed Plaintiff Putnam County, TN  
*(EXCEPT IN U.S. PLAINTIFF CASES)*

**(c)** Attorneys *(Firm Name, Address, and Telephone Number)*  
Jackson, Shields, Yeiser & Holt, 262 German Oak Drive, Memphis, Tennessee 38018, (901) 754-8001

**DEFENDANTS**  
SHAMROCK ALLIANCE, LLC, et al.,

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	<b>PERSONAL INJURY</b> <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	<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	<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
<b>REAL PROPERTY</b> <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	<b>CIVIL RIGHTS</b> <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>PRISONER PETITIONS</b> <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	<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>FEDERAL TAX SUITS</b> <input type="checkbox"/> 870 Taxes (U.S. Plaintiff or Defendant) <input type="checkbox"/> 871 IRS—Third Party 26 USC 7609	
			<b>IMMIGRATION</b> <input type="checkbox"/> 462 Naturalization Application <input type="checkbox"/> 465 Other Immigration Actions		

**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 U.S.C 201, et seq.

Brief description of cause:  
FLSA collective action for the recovery of unpaid wages

**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 11/29/2017 SIGNATURE OF ATTORNEY OF RECORD s/Gordon E. Jackson

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: [Tennessee Huddle House Operator Pegged with General Managers' Wage and Hour Lawsuit](#)

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