

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

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**EVERARDO FERMIN LORENZO** )  
**and JESUS FULGAR SANDOVAL,** )  
**Individually and on Behalf of** )  
**All Those Similarly Situated,** )  
  
**Plaintiffs,** )  
  
**v.** )  
  
**UCI KITCHEN & BATH, INC.,** )  
**SOHYLA NAYEBOSADRI, and** )  
**TOURAJ NAYEBOSADRI, Jointly and Severally,** )  
  
**Defendants.** )

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**Case No.:** \_\_\_\_\_

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

Plaintiffs, Everardo Fermin Lorenzo and Jesus Fulgar Sandoval (collectively, “Plaintiffs”), individually and on behalf of all others similarly situated, upon personal knowledge as to themselves and upon information and belief as to other matters, and allege as follows:

**NATURE OF THE ACTION**

1. Defendants are a full-service vendor of natural, synthetic, and exotic stone countertops and surfaces in the southeast region of the United States that cater to commercial clients, home builders, multifamily residential properties, corporations, and the hospitality industry in Georgia, South Carolina, North Carolina, Tennessee, and Alabama. Defendants operate out of their headquarters/wholesale facility in Norcross, GA.
2. Plaintiff, Everardo Fermin Lorenzo, worked for UCI Kitchen & Bath, Inc. as a granite polisher, and his job duties included polishing and finishing slabs of granite for countertops and other household fixtures.
3. Plaintiff, Jesus Fulgar Sandoval, worked for UCI Kitchen & Bath, Inc. as a marble fabricator, and his job duties included creating countertops and other household fixtures.
4. Plaintiffs were paid straight-time for all hours worked, despite working in excess of 40 hours per week throughout their employment.
5. The exact number of similarly situated current and former employees is unknown at this time.

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

### **JURISDICTION AND VENUE**

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

8. 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 UCI Kitchen & Bath, Inc., located at 6555 Jimmy Carter Blvd, Norcross, GA, 30071, USA, which is in Gwinnett County.

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

### **THE PARTIES**

#### **Plaintiffs:**

10. Plaintiff, Everardo Fermin Lorenzo, was at all relevant times, an adult

individual residing at 6800 Peachtree Industrial, Doraville, Georgia, 30360, which is in DeKalb County.

11. Plaintiff, Jesus Fulgar Sandoval, was at all relevant times, an adult-individual residing at 2275 Oakland Chase Court, Lawrenceville, Georgia 30044, which is in Gwinnett County.

**Defendants:**

12. Defendant UCI Kitchen & Bath, Inc., is an active Georgia corporation. Its principal place of business is 2175 Beaver Run Road, Suite 100, Norcross, Georgia 30071, which is in Gwinnett County.

13. Upon information and belief, Defendant Sohyla Nayeboadri is an owner, officer, director and/or managing agent of UCI Kitchen & Bath, Inc. Ms. Nayeboadri's residential address is unknown at this time.

14. Upon information and belief, Defendant Touraj Nayeboadri is an owner, officer, director and/or managing agent of UCI Kitchen & Bath, Inc. Mr. Nayeboadri's residential address is unknown at this time.

15. Sohyla Nayeboadri, and Touraj Nayeboadri (the "Individual Defendants") participated in the day-to-day operations of the UCI Kitchen & Bath corporation,

and acted intentionally and maliciously. Each individual 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 are therefore, jointly and severally liable with UCI Kitchen & Bath (the “Corporate Defendant”).

16. Upon information and belief, the Individual Defendants jointly set the unlawful payroll policies complained of in this complaint.

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

18. 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).

19. Additionally, upon information and belief, at all relevant times, Defendants have had employees working on goods that have been moved or produced for commerce. Defendants produce stone countertops and fixtures with materials that are obtained from various parts of the United States, and sell these products to customers in various states, within the meaning of 29 U.S.C. § 203(s)(1)(A)(i).

### **STATEMENT OF FACTS**

20. At all relevant times, Defendants have been in the custom stone

countertop/surfaces industry, supplying customers with countertops while also offering commercial renovations and other remodeling services.

21. Upon information and belief, the Individual Defendants handle payroll and record keeping for the Corporate Defendants, and are actively involved with the Corporate Defendants' day-to-day operations.

22. Plaintiff Lorenzo was employed as a granite polisher. Mr. Lorenzo's job duties involved polishing and finishing slabs of granite for countertops and other household fixtures. Mr. Lorenzo was employed at UCI Kitchen Bath, Inc., at 6555 Jimmy Carter Blvd, Norcross, GA, 30071, and worked for Defendants for over five years, from December 15, 2011 until February 28, 2017. Mr. Lorenzo was paid \$14 per hour, and worked 55 hours per week, at UCI Kitchen & Bath, Inc. Mr. Lorenzo was generally paid \$770 per week by check.

23. Plaintiff Sandoval was employed by Defendants as a marble fabricator. His job duties included creating countertops and other household fixtures. Mr. Sandoval was employed at UCI Kitchen & Bath, Inc., at 6555 Jimmy Carter Blvd, Norcross, GA, 30071, and worked for approximately nine years, from June 1, 2008 until June 16, 2017. Mr. Sandoval was paid \$18 per hour, and generally worked 55 hours per

week. For his 55 hours of work per week, Mr. Sandoval was paid \$990 by check.

24. Plaintiffs were paid straight-time for all hours worked, despite working well in excess of 40 hours per week.

25. This failure to pay overtime wages to these blue-collar 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**

26. Mr. Lorenzo worked 55 hours per week, which includes 40 regular hours and 15 overtime hours. Mr. Lorenzo was paid straight-time for all hours worked. His rate of pay was \$14 per hour, so his “half-rate” is \$7 per hour, for the purposes of computing overtime.<sup>1</sup> 15 overtime hours multiplied by \$7 half-rate, equals \$105 unpaid overtime per week. Mr. Lorenzo was employed 134 weeks by Defendants. 134 weeks multiplied by \$105 unpaid overtime per week, equals \$14,070 in unpaid overtime wages. If the Court grants liquidated damages in this case, pursuant to 29 U.S. Code § 216(b), then the total damages are \$14,070 plus \$14,070, which equals \$28,140.

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<sup>1</sup> The half-rate is determined by dividing the regular rate of pay by 2.

27. Mr. Sandoval worked 55 hours per week, which includes 40 regular hours and 15 overtime hours. Mr. Sandoval was paid straight-time for all hours worked. His rate of pay was \$18 per hour, so his “half-rate” is \$9 per hour, for the purposes of computing overtime. 15 overtime hours multiplied by \$9 half-rate, equals \$135 unpaid overtime per week. Mr. Sandoval was employed 147 weeks by Defendants. 147 weeks multiplied by \$135 unpaid overtime per week, equals \$19,845 in unpaid overtime wages. If the Court grants liquidated damages in this case, pursuant to 29 U.S. Code § 216(b), then the total damages are \$19,845 plus \$19,845, which equals \$39,690.

28. Therefore, since Plaintiff Lorenzo is owed \$28,140, and Plaintiff Sandoval is owed \$39,690, Plaintiffs are owed a total of \$67,830.

### **FLSA COLLECTIVE ACTION ALLEGATIONS**

29. Pursuant to 29 U.S.C. §§ 207 & 216(b), Plaintiffs bring their First Cause 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 October 4, 2014, and through the entry of judgment in this case (the “Collective Action Period”) who worked as marble fabricators, granite polishers, granite



installers, granite fabricators, and all other hourly employees (the “Collective Action Members”).

30. 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 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 overtime premium payments for all hours worked in excess of 40 hours per week.

31. There is a large class of current and former employees of UCI Kitchen & Bath who have suffered the same unpaid overtime wage injury, and have yet to receive redress. The exact number of employees is unknown at this time.

**FIRST CAUSE OF ACTION**  
**FAIR LABOR STANDARDS ACT – UNPAID OVERTIME**

32. Plaintiffs, on behalf of themselves, and the Collective Action 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.

33. As a result of Defendants’ failure to compensate its employees, including Plaintiffs and 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) and 215(a), for which Plaintiffs and the Collective Action Members are entitled to relief pursuant to 29 U.S.C. 216(b).

34. 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).

35. The failure to pay overtime has caused Plaintiffs to suffer loss of 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 overtime wages due under the FLSA;
- d. An award of liquidated and/or punitive damages as a result of Defendant's willful failure to pay overtime wages
- e. An award of prejudgment and post-judgment interest;
- f. An award of costs and expenses of this action together with attorney's fees;
- g. 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, Plaintiff demands a trial by jury on all questions of fact raised by the complaint.

Dated: October 4, 2017

Respectfully submitted,

**s/ Brandon A. Thomas**

**BRANDON A. THOMAS**

**GA BAR NO.: 742344**

The Law Offices of Brandon A. Thomas, PC

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Atlanta, GA 30309

Tel: (404) 343-2441

Fax: (404) 352-5636

brandon@brandonthomaslaw.com

**CONSENTIMIENTO PARA SER UNA DEMANDANTE**

A través de mi firma a continuación, autorizo la presentación y enjuiciamiento de reclamos en mi nombre y en representación del fracaso de **UCI Kitchen and Bath** y de sus respectivos dueños, afiliados, subsidiarias, contratistas, directores, funcionarios o franquiciados Y los salarios mínimos requeridos por las leyes estatales y / o federales, y también autorizar la presentación de este consentimiento en la (s) acción (es) en contra de dicha conducta.

Yo autorizo ser nombrado como **demandante representativo** en esta acción legal para tomar decisiones en nombre de otros demandantes a quienes pueda concernir el resultado de este proceso, el método y la manera en como debe llevarse a cabo este litigio, y la decisión de llegar a un acuerdo dentro de la causa y todo lo que concierna a los honorarios profesionales y costas del proceso y cualesquiera otras decisiones relacionadas con este litigio.

Entiendo que estaré representado por The Law Offices de Brandon A. Thomas, P.C., sin pago anticipado de costos o honorarios de abogados. Entiendo que si los demandantes tienen éxito, los costos gastados por los abogados en mi nombre serán deducidos de mi acuerdo o juicio primero. Entiendo que mis abogados solicitarán al tribunal la concesión de honorarios y costos a pagar por los acusados en mi nombre. Entiendo que los honorarios retenidos por los abogados serán los honorarios del abogado recibidos de los acusados o aproximadamente 1/3 (33.33%) de mi total acuerdo o juicio (incluyendo honorarios y costos), el que sea mayor.

Everardo Fermín Lorenzo   
Nombre Escrito Firma

09-16-17  
Fecha


**CONSENTIMIENTO PARA SER UNA DEMANDANTE**

A través de mi firma a continuación, autorizo la presentación y enjuiciamiento de reclamos en mi nombre y en representación del fracaso de UCI Kitchen and Bath y de sus respectivos dueños, afiliados, subsidiarias, contratistas, directores, funcionarios o franquiciados Y los salarios mínimos requeridos por las leyes estatales y / o federales, y también autorizar la presentación de este consentimiento en la (s) acción (es) en contra de dicha conducta.

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JESUS Folgar Sandoval  
Nombre Escrito

  
Firma

7/18/17  
Fecha

**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)

<p><b>I. (a) PLAINTIFF(S)</b>                  Everardo Fermin Lorenzo and Jesus Fulgar Sandoval</p>	<p><b>DEFENDANT(S)</b>                  UCI Kitchen &amp; Bath, Inc., Sohyla Nayeboasadi, and Touraj Nayeboasadi</p>
<p><b>(b) COUNTY OF RESIDENCE OF FIRST LISTED PLAINTIFF</b> <u>DeKalb</u>                  (EXCEPT IN U.S. PLAINTIFF CASES)</p>	<p><b>COUNTY OF RESIDENCE OF FIRST LISTED DEFENDANT</b> <u>Gwinnett</u>                  (IN U.S. PLAINTIFF CASES ONLY)</p> <p><small>NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED</small></p>

<p><b>(c) ATTORNEYS</b> (FIRM NAME, ADDRESS, TELEPHONE NUMBER, AND E-MAIL ADDRESS)                  The Law Offices of Brandon A. Thomas, P.C.                  1800 Peachtree Street, Suite 300                  Atlanta, GA 30309                  (404) 343-2441/brandon@brandonthomaslaw.com</p>	<p><b>ATTORNEYS</b> (IF KNOWN)                  Elizabeth L. Bentley                  Carlock, Copeland &amp; Stair, LLP                  191 Peachtree Street, Suite 3600                  Atlanta, GA 30309                  (404) 522-8220/bbentley@carlockcopeland.com</p>
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<p><b>II. BASIS OF JURISDICTION</b>                  (PLACE AN "X" IN ONE BOX ONLY)</p> <p><input type="checkbox"/> 1 U.S. GOVERNMENT PLAINTIFF     <input checked="" type="checkbox"/> 3 FEDERAL QUESTION (U.S. GOVERNMENT NOT A PARTY)</p> <p><input type="checkbox"/> 2 U.S. GOVERNMENT DEFENDANT     <input type="checkbox"/> 4 DIVERSITY (INDICATE CITIZENSHIP OF PARTIES IN ITEM III)</p>	<p><b>III. CITIZENSHIP OF PRINCIPAL PARTIES</b>                  (PLACE AN "X" IN ONE BOX FOR PLAINTIFF AND ONE BOX FOR DEFENDANT)                  (FOR DIVERSITY CASES ONLY)</p> <table style="width:100%; border: none;"> <tr> <td style="text-align: center;"><small>PLF</small></td> <td style="text-align: center;"><small>DEF</small></td> <td></td> <td style="text-align: center;"><small>PLF</small></td> <td style="text-align: center;"><small>DEF</small></td> <td></td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td style="text-align: center;"><input type="checkbox"/> 1</td> <td>CITIZEN OF THIS STATE</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td style="text-align: center;"><input type="checkbox"/> 4</td> <td>INCORPORATED OR PRINCIPAL PLACE OF BUSINESS IN THIS STATE</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td style="text-align: center;"><input type="checkbox"/> 2</td> <td>CITIZEN OF ANOTHER STATE</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td style="text-align: center;"><input type="checkbox"/> 5</td> <td>INCORPORATED AND PRINCIPAL PLACE OF BUSINESS IN ANOTHER STATE</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td style="text-align: center;"><input type="checkbox"/> 3</td> <td>CITIZEN OR SUBJECT OF A FOREIGN COUNTRY</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td style="text-align: center;"><input type="checkbox"/> 6</td> <td>FOREIGN NATION</td> </tr> </table>	<small>PLF</small>	<small>DEF</small>		<small>PLF</small>	<small>DEF</small>		<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
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**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)

Failure to pay overtime wages under the Fair Labor Standards Act, 29 U.S.C. Section 201 et seq.  
 Defendants have failed to pay overtime wages for all hours worked.

**(IF COMPLEX, CHECK REASON BELOW)**

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

**CONTINUED ON REVERSE**

<b>FOR OFFICE USE ONLY</b>			
RECEIPT # _____	AMOUNT \$ _____	APPLYING IFP _____	MAG. JUDGE (IFP) _____
JUDGE _____	MAG. JUDGE _____ <i>(Referral)</i>	NATURE OF SUIT _____	CAUSE OF ACTION _____

**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 REAPPORTIONMENT
- 430 BANKS AND BANKING
- 450 COMMERCE/ACC 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

10/4/17

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Lawsuit Seeks to Polish Up UCI Kitchen & Bath's Overtime Policy](#)

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