

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA  
MIAMI DIVISION

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

DANIEL D. PAREDES  
and other similarly situated individuals,

Plaintiff,

v.

PINNACLE A ROOFING COMPANY  
and ROBERT THOMAS,

Defendants.  
\_\_\_\_\_ /

**DEFENDANT’S NOTICE OF AND PETITION FOR REMOVAL**

Defendant, PINNACLE A ROOFING COMPANY (“Defendant”), by and through undersigned counsel and in accordance with the applicable Federal Rules of Civil Procedure and 28 U.S.C. §§ 1331, 1441, and 1446, hereby files this Notice of and Petition for Removal (the “Notice”). Defendant requests that the Court remove this action filed by Plaintiff, DANIEL D. PAREDES (“Plaintiff”), from the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, to the United States District Court for the Southern District of Florida, Miami Division. The removal of this action is based upon the following:

1. On or about April 30, 2018, Plaintiff filed his Complaint in the Circuit Court of the Eleventh Judicial Circuit in and for Miami-Dade County, Florida, captioned *Daniel D. Paredes and other similarly situated individuals v. Pinnacle A Roofing Company and Robert Thomas* (the “Circuit Court case”). The Circuit Court case was assigned Case No. 2018-014049-CA-01. In the Complaint, Plaintiff alleges the following claims:

- (1) Unpaid wages in violation of the Fair Labor Standards Act (Count I);

(2) Retaliation in violation of the Fair Labor Standards Act (Count II);

2. Because Plaintiff asserts claims under the Fair Labor Standards Act, this action is within the original federal question jurisdiction of the United States District Court pursuant to 28 U.S.C. § 1331. Thus, this action is removable pursuant to 28 U.S.C. § 1441(a).

3. Plaintiff effectuated service of process on Defendant on June 22, 2018. Therefore, this Notice has been filed within thirty days after service upon Defendant of the pleading setting forth the claims for relief upon which this removal is based, as required by 28 U.S.C. § 1446(b). *See* Plaintiff's Summons in a Civil Case at Exhibit 1.

4. A removal is not proper unless "all defendants who have been properly joined and served . . . consent to the removal of the action." 28 U.S.C. §1446(b)(2)(A). Plaintiff has only filed counts against Defendant.

5. As required by 28 U.S.C. § 1446(a), a copy of all process, pleadings, and orders served upon Defendants are attached to this Notice at Exhibit 1.

6. Pursuant to 28 U.S.C. § 1446(d), Defendant will provide promptly written notice of the removal to all adverse parties in this action and will file a copy of this Notice with the Circuit Court in and for Miami-Dade County, Florida.

7. The United States District Court for the Southern District of Florida, Miami Division, includes the judicial county in which Plaintiff filed his Complaint. Thus, removal is proper to this Court.

WHEREFORE, Defendant respectfully request that the United States District Court for the Southern District of Florida accept the removal of this action from the Circuit Court and

direct that the Circuit Court in and for Miami-Dade County, Florida has no further jurisdiction of this matter unless and until this case is remanded.

Dated: July 5, 2018

Respectfully submitted,



---

Carlo D. Marichal, Esq.  
Florida Bar No. 99034  
Email: *carlo.marichal@cna.com*  
LAW OFFICES OF LORRAINE LESTER  
1200 S. Pine Island Rd., Suite 750  
Plantation, Florida 33324  
*Counsel for Defendant,*

**CERTIFICATE OF SERVICE**

I hereby certify that on July 5, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record identified on the below Service List via transmission of Notices of Electronic Filing generated by CM/ECF.



Carlo D. Marichal, Esq.

**SERVICE LIST**

Anthony M. Georges-Pierre, Esquire  
Email: *agp@rgpattorneys.com*  
Remer & Georges-Pierre, PLLC  
44 West Flagler Street, Suite 2200  
Miami, FL 33130  
Telephone: 305-416-5000  
Facsimile: 305-416-5005

Carlo D. Marichal, Esq.  
Email: *carlo.marichal@cna.com*  
LAW OFFICES OF LORRAINE LESTER  
1200 S. Pine Island Rd., Suite 750  
Plantation, Florida 33324  
Telephone: 954-424-4676  
Facsimile: 866-696-7828

**FORM 1.997. CIVIL COVER SHEET**

The civil cover sheet and the information contained in it neither replace nor supplement the filing and service of pleadings or other documents as required by law. This form must be filed by the plaintiff or petitioner for the use of the Clerk of Court for the purpose of reporting judicial workload data pursuant to section 25.075, Florida Statutes. (See instructions for completion.)

**I. CASE STYLE**

IN THE CIRCUIT COURT OF THE ELEVENTH JUDICIAL CIRCUIT,  
IN AND FOR MIAMI-DADE COUNTY, FLORIDA

Case No.: \_\_\_\_\_  
Judge: \_\_\_\_\_

Daniel D. Paredes  
Plaintiff

vs.

Pinnacle A Roofing Company, Robert Thomas  
Defendant

**II. TYPE OF CASE**

- Condominium
- Contracts and indebtedness
- Eminent domain
- Auto negligence
- Negligence – other
  - Business governance
  - Business torts
  - Environmental/Toxic tort
  - Third party indemnification
  - Construction defect
  - Mass tort
  - Negligent security
  - Nursing home negligence
  - Premises liability – commercial
  - Premises liability – residential
- Products liability
- Real Property/Mortgage foreclosure
  - Commercial foreclosure \$0 - \$50,000
  - Commercial foreclosure \$50,001 - \$249,999
  - Commercial foreclosure \$250,000 or more
  - Homestead residential foreclosure \$0 – 50,000
  - Homestead residential foreclosure \$50,001 - \$249,999
  - Homestead residential foreclosure \$250,000 or more
  - Non-homestead residential foreclosure \$0 - \$50,000
  - Non-homestead residential foreclosure \$50,001 - \$249,999

- Non-homestead residential foreclosure \$250,00 or more
- Other real property actions \$0 - \$50,000
- Other real property actions \$50,001 - \$249,999
- Other real property actions \$250,000 or more
- Professional malpractice
  - Malpractice – business
  - Malpractice – medical
  - Malpractice – other professional
- Other
  - Antitrust/Trade Regulation
  - Business Transaction
  - Circuit Civil - Not Applicable
  - Constitutional challenge-statute or ordinance
  - Constitutional challenge-proposed amendment
  - Corporate Trusts
  - Discrimination-employment or other
  - Insurance claims
  - Intellectual property
  - Libel/Slander
  - Shareholder derivative action
  - Securities litigation
  - Trade secrets
  - Trust litigation

**COMPLEX BUSINESS COURT**

This action is appropriate for assignment to Complex Business Court as delineated and mandated by the Administrative Order. Yes  No

**III. REMEDIES SOUGHT** (check all that apply):

- Monetary;
- Non-monetary declaratory or injunctive relief;
- Punitive

**IV. NUMBER OF CAUSES OF ACTION: ( )**  
(Specify)

2

**V. IS THIS CASE A CLASS ACTION LAWSUIT?**

- Yes
- No

**VI. HAS NOTICE OF ANY KNOWN RELATED CASE BEEN FILED?**

- No
- Yes – If “yes” list all related cases by name, case number and court:

**VII. IS JURY TRIAL DEMANDED IN COMPLAINT?**

- Yes
- No

---

I CERTIFY that the information I have provided in this cover sheet is accurate to the best of my knowledge and belief, and that I have read and will comply with the requirements of Florida Rule of Judicial Administration 2.425.

Signature s/ Anthony M Georges-Pierre FL Bar No.: 533637  
Attorney or party

(Bar number, if attorney)

Anthony M Georges-Pierre 04/30/2018  
(Type or print name)

Date

IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

DANIEL D. PAREDES  
and other similarly situated individuals,

Plaintiff,

vs.

Case No.: 2018-014049 CA 01

PINNACLE A ROOFING COMPANY and  
ROBERT THOMAS,

Defendant.

---

SUMMONS IN A CIVIL CASE

TO: ROBERT THOMAS

CHASELAWYERS  
21 SE 1ST AVE #700  
MIAMI, FL 33131

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY

ANTHONY M. GEORGES-PIERRE, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET, SUITE 2200  
MIAMI, FL 33130

an answer to the complaint which is herewith served upon you, within **20 days** after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

---

CLERK

DATE

---

(BY) DEPUTY CLERK

IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

DANIEL D. PAREDES  
and other similarly situated individuals,

Plaintiff,

vs.

Case No.: 2018-014049 CA 01

PINNACLE A ROOFING COMPANY and  
ROBERT THOMAS,

Defendant.

**SUMMONS IN A CIVIL CASE**

**TO:** PINNACLE A ROOFING COMPANY through its Registered Agent:

CHASELAWYERS  
21 SE 1ST AVE #700  
MIAMI, FL 33131

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY

ANTHONY M. GEORGES-PIERRE, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET, SUITE 2200  
MIAMI, FL 33130

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\_\_\_\_\_  
CLERK

\_\_\_\_\_  
DATE

\_\_\_\_\_  
(BY) DEPUTY CLERK

IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

DANIEL D. PAREDES  
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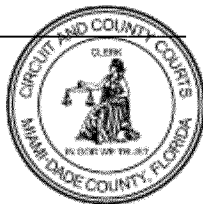
Harvey Ruvin,  
Clerk of Courts

6/6/2018

CLERK

DATE

*Gonelle Braun* 164659  
(BY) DEPUTY CLERK





IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

DANIEL D. PAREDES  
and other similarly situated individuals,

Plaintiff,

vs.

Case No.: 2018-014049 CA 01

PINNACLE A ROOFING COMPANY and  
ROBERT THOMAS,

Defendant.

**SUMMONS IN A CIVIL CASE**

**TO:** PINNACLE A ROOFING COMPANY through its Registered Agent:

CHASELAWYERS  
21 SE 1ST AVE #700  
MIAMI, FL 33131

**YOU ARE HEREBY SUMMONED** and required to serve upon PLAINTIFF'S ATTORNEY

ANTHONY M. GEORGES-PIERRE, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET, SUITE 2200  
MIAMI, FL 33130

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Harvey Ruvin,  
Clerk of Courts

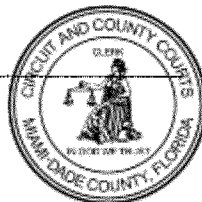
6/6/2018

CLERK

DATE

*Gonelle Brain* 164659

(BY) DEPUTY CLERK



**RETURN OF SERVICE**

State of Florida

County of MIAMI-DADE

Circuit Court

Case Number: 2018-014049-CA-01

Plaintiff:

**DANIEL D. PAREDES**

vs.

Defendant:

**PINNACLE A ROOFING COMPANY AND ROBERT THOMAS**

For:

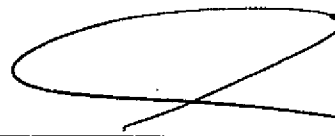
Anthony M. Georges-Pierre  
REMER & GEORGES-PIERRE, PLLC  
44 W. Flagler Street  
Ste 2200  
Miami, FL 33130

Received by OJF SERVICES, INC. on the 18th day of June, 2018 at 3:58 pm to be served on **ROBERT THOMAS, 21 SE 1ST AVE, #700, MIAMI, FL 33131.**

I, GREG SCHULTE, do hereby affirm that on the 22nd day of June, 2018 at 12:00 pm, I:

**AUTHORIZED:** served by delivering a true copy of the **SUMMONS AND COMPLAINT** with the date and hour of service endorsed thereon by me, to: **BARRY CHASE ESQ** as **ATTORNEY**, who stated they are authorized to accept service for: **ROBERT THOMAS** at the address of: **21 SE 1ST AVE, #700, MIAMI, FL 33131**, and informed said person of the contents therein, in compliance with state statutes.

I CERTIFY THAT I AM OVER THE AGE OF 18, HAVE NO INTEREST IN THE ABOVE ACTION, AND THAT I AM A CERTIFIED PROCESS SERVER, IN GOOD STANDING, IN THE JUDICIAL CIRCUIT IN WHICH THE PROCESS WAS SERVED. UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING (DOCUMENT) AND THAT THE FACTS STATED IN IT ARE TRUE, 92.525.



**GREG SCHULTE**  
CPS #245

**OJF SERVICES, INC.**  
13727 S.W. 152nd Street  
P.M.B. 354  
Miami, FL 33177  
(786) 293-5750

Our Job Serial Number: OJF-2018008362



# 72758320 E-Filed 05/29/2018 02:01:03 PM

IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

DANIEL D. PAREDES  
and other similarly situated individuals,

Plaintiff,

vs.

Case No.: 2018-014049 CA 01

PINNACLE A ROOFING COMPANY and  
ROBERT THOMAS,

Defendant.

DATE 6/22 TIME: 12P  
INITIALS CR ID#: 245

SUMMONS IN A CIVIL CASE

TO: ROBERT THOMAS

CHASELAWYERS  
21 SE 1ST AVE #700  
MIAMI, FL 33131

*Barry Chase ESS ASS ATMY*

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY

ANTHONY M. GEORGES-PIERRE, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET, SUITE 2200  
MIAMI, FL 33130

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Harvey Ruvin,  
Clerk of Courts

6/6/2018

CLERK

DATE

Conelle Brown 164659  
(BY) DEPUTY CLERK



WWW.OJFSERVICES.COM  
954.929.4215  
OJF SERVICES, INC.

8362

**RETURN OF SERVICE**

State of Florida

County of MIAMI-DADE

Circuit Court

Case Number: 2018-014049-CA-01

Plaintiff:

**DANIEL D. PAREDES**

vs.

Defendant:

**PINNACLE A ROOFING COMPANY AND ROBERT THOMAS**

For:

Anthony M. Georges-Pierre  
REMER & GEORGES-PIERRE, PLLC  
44 W. Flagler Street  
Ste 2200  
Miami, FL 33130

Received by OJF SERVICES, INC. on the 18th day of June, 2018 at 3:58 pm to be served on **PINNACLE A ROOFING COMPANY C/O REGISTERED AGENT, CHASELA WYERS, 21 SE 1ST AVE, #700, MIAMI, FL 33131.**

I, GREG SCHULTE, do hereby affirm that on the **22nd day of June, 2018 at 12:00 pm, I:**

**CORPORATE - REGISTERED AGENT:** served by delivering a true copy of the **SUMMONS AND COMPLAINT** with the date and hour of service endorsed thereon by me, to: **BARRY CHASE ESQ EMPLOYEE AT CHASE LAWYERS as Registered Agent** At the address of: **21 SE 1ST AVE, #700, MIAMI, FL 33131** for **PINNACLE A ROOFING COMPANY C/O REGISTERED AGENT, CHASELA WYERS**, and informed said person of the contents therein, in compliance with state statutes.

I CERTIFY THAT I AM OVER THE AGE OF 18, HAVE NO INTEREST IN THE ABOVE ACTION, AND THAT I AM A CERTIFIED PROCESS SERVER, IN GOOD STANDING, IN THE JUDICIAL CIRCUIT IN WHICH THE PROCESS WAS SERVED. "UNDER PENALTY OF PERJURY, I DECLARE THAT I HAVE READ THE FOREGOING (DOCUMENT) AND THAT THE FACTS STATED IN IT ARE TRUE, 92.525.



**GREG SCHULTE**  
CPS #245

**OJF SERVICES, INC.**  
13727 S.W. 152nd Street  
P.M.B. 354  
Miami, FL 33177  
(786) 293-5750

Our Job Serial Number: OJF-2018008363



File # 2758122 E-Filed 05/29/2018 01:59:12 PM

IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

DANIEL D. PAREDES  
and other similarly situated individuals,

Plaintiff,

vs.

Case No.: 2018-014049 CA 01

PINNACLE A ROOFING COMPANY and  
ROBERT THOMAS,

Defendant.

DATE: 6/22 TIME: 12P  
INITIALS: [Signature] ID#: 298

SUMMONS IN A CIVIL CASE

TO: PINNACLE A ROOFING COMPANY through its Registered Agent:

CHASELAWYERS  
21 SE 1ST AVE #700  
MIAMI, FL 33131

*Barry Chase*  
*859*

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY

ANTHONY M. GEORGES-PIERRE, ESQ.  
REMER & GEORGES-PIERRE, PLLC.  
44 WEST FLAGLER STREET, SUITE 2200  
MIAMI, FL 33130

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

Harvey Ruvin,  
Clerk of Courts

6/6/2018

CLERK

DATE

*Gonelle Brown* 164659

(BY) DEPUTY CLERK



www.OJFSERVICES.COM  
954.929.4215  
OJF SERVICES, INC.

IN THE CIRCUIT COURT OF THE  
11TH JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

DANIEL D. PAREDES  
and other similarly situated individuals,

Plaintiff,

vs.

Case No.:

PINNACLE A ROOFING COMPANY and  
ROBERT THOMAS,

Defendant.

---

**COMPLAINT**

Plaintiff, DANIEL D. PAREDES (“Plaintiff”), by and through the undersigned counsel, hereby sues Defendant, PINNACLE A ROOFING COMPANY and ROBERT THOMAS (“Defendant”), and in support avers as follows:

**GENERAL ALLEGATIONS**

1. This is an action by the Plaintiff for damages exceeding \$15,000 excluding attorneys’ fees or costs resulting from Defendants’ violations of the Fair Labor Standards Act, 29 U.S.C. §§ 201-219 (“FLSA”).
2. Plaintiff was at all times relevant to this action, and continues to be, a resident of Miami-Dade County Florida, within the jurisdiction of this Honorable Court.
3. Defendant, PINNACLE A ROOFING COMPANY, is a Florida Profit Corporation, conducting business in Miami-Dade County, Florida, where Plaintiff worked for Defendant and at all times material hereto was and is engaged in interstate commerce.
4. Venue is proper in Miami-Dade County because all of the actions that form the basis of this Complaint occurred within Miami-Dade County.

5. Declaratory, injunctive, legal and equitable relief sought pursuant to the laws set forth above together with attorneys' fees, costs and damages.

6. All conditions precedent for the filing of this action before this Court have been previously met, including the exhaustion of all pertinent administrative procedures and remedies.

**FACTUAL ALLEGATIONS COMMON TO ALL COUNTS**

7. Plaintiff performed work for Defendant from on or about March 1, 2017 to on or about January 30, 2018 as a roof mechanic.

8. Plaintiff was paid at a regular rate of \$17 per hour and was not paid overtime for time worked over 40 hours each week.

9. Plaintiff had to sign in and out on a handwritten time sheet. Even though he would work overtime, he was forced to write in "7:00 am" in the mornings and "4:00 pm" in the afternoons, with an hour lunch, which reflected only 8 hours per day, Monday through Friday.

10. However, Plaintiff would come to work half an hour early, and would not get compensated for that time despite going straight to work.

11. In the evenings, Plaintiff had to drive back to the office from the construction sites he was assigned to, but was not allowed to write on his timesheet that he was signing out after 4pm.

12. From on or about April 19, 2017 to on or about September 30, 2017, Plaintiff traveled approximately 2.5 hours every week, which were not compensated.

13. From on or about October 1, 2017 to on or about January 30, 2018, Plaintiff was given a new worksite and was traveling 5 unpaid hours every week.

14. Throughout employment, Plaintiff complained about not being compensated for his early arrival and work, as well as his driving/travel time from work sites. Plaintiff was rebuffed constantly whenever he would approach management about being compensated properly.

15. Plaintiff began to see that his work assignments were either being shortened or cancelled. Plaintiff would be left off of certain shifts or assignments while a large majority of other workers would be assigned to work, and he was often told “you’re not working, go home” by supervisors.

16. On or about January 30, 2018, Plaintiff went into work and saw that he was listed on the white board as not working. He contacted the head foreman and was told to drive to the office.

17. Plaintiff was then terminated on or about January 30, 2018 in retaliation for his complaints about not being paid properly.

### **COUNT I**

#### ***FLSA Violation against PINNACLE A ROOFING COMPANY***

18. Plaintiff re-adopts each and every factual allegation as stated in paragraphs 1 through 17 of this complaint as if set out in full herein.

19. This action is brought by Plaintiff to recover from the Defendant unpaid minimum wage and/or overtime compensation, as well as an additional amount as liquidated damages, costs, and reasonable attorney’s fees under the provisions of the FLSA.

20. At all times pertinent to this Complaint, Defendant had two or more employees who regularly handled goods and/or materials which had been sold and transported from across state lines of other states, and the Defendant obtains and solicits funds from non-Florida sources, accepts funds from non-Florida sources, uses telephonic transmissions going over state lines to do its business, transmits funds outside the State of Florida, and otherwise regularly engages in interstate commerce, particularly with respect to its employees.

21. Upon information and belief, at all times material hereto, Defendant’s annual gross revenue exceeded \$500,000 per annum on its own, or as part of a joint enterprise with the other corporate Defendant named herein, or which are as of yet unknown but will be revealed through further discovery. To the extent that Defendant operated as part of a joint enterprise, it did so



with corporate entities that performed related activities, under the common control of the individual Defendant, and for common business purposes related to the work performed by Plaintiff for Defendant.

22. By reason of the foregoing, the Defendant is and was, during all times hereafter mentioned, an enterprise engaged in commerce or in the production of goods for commerce as defined in §§ 3 (r) and 3(s) of the FLSA, 29 U.S.C. § 203(r) and 203(s). Defendant's business activities involve those to which the FLSA applies. The Plaintiff's work for the Defendant likewise affects interstate commerce.

23. Plaintiff seeks to recover for unpaid wages accumulated from the date of hire and/or from three (3) years from the date of the filing of this complaint.

24. Defendant knew and/or showed reckless disregard of the provisions of the FLSA concerning the payment of minimum and/or overtime wages as required by the FLSA and remain owing Plaintiff these wages since the commencement of Plaintiff's employment with Defendant as set forth above. As such, Plaintiff is entitled to recover double damages.

**WHEREFORE**, Plaintiff respectfully prays for the following relief against Defendant:

- a. Adjudge and decree that Defendant has violated the FLSA and has done so willfully, intentionally and with reckless disregard for Plaintiff's rights;
- b. Award Plaintiff actual damages in the amount shown to be due for unpaid minimum and/or overtime wages, with interest; and
- c. Award Plaintiff an equal amount in double damages/liquidated damages; and
- d. Award Plaintiff the costs of this action, together with reasonable attorney fees; and
- e. Grant Plaintiff such additional relief as the Court deems just and proper under the circumstances.

**COUNT II**

***FLSA Retaliation against PINNACLE A ROOFING COMPANY***

25. Plaintiff re-adopts each and every factual allegation as stated in paragraphs 1 through 17 of this complaint as if set out in full herein.

26. 29 U.S.C. § 215(a)(3) of the FLSA states that it is a violation to “discharge or in any other manner discriminate against any employee because such employee has filed any complaint or instituted or caused to be instituted any proceeding under or related to this Act, or has testified or is about to testify in any such proceeding, or has served or is about to serve on an industry committee.”

27. Defendant’s conduct as set forth above constitutes a violation of the FLSA’s anti-retaliation provision.

28. The motivating factor that caused Plaintiff’s termination as described above was Plaintiff’s complaints regarding Defendants’ unlawful pay practices.

29. Defendant’s conduct was in direct violation of the FLSA, and, as a direct result, Plaintiff has been damaged.

**WHEREFORE**, Plaintiff respectfully prays for the following relief against Defendant:

- a. Adjudge and decree that Defendant has violated the FLSA and has done so willfully, intentionally and with reckless disregard for Plaintiff’s rights;
- b. Enter judgment against the Defendant for all back wages from the date of discharge to the present date and an equal amount of back wages as liquidated damages, and;
- c. Enter judgment against the Defendant for all front wages until Plaintiff becomes 65 years of age; and
- d. Enter an award against Defendant and award Plaintiff compensatory damages for mental anguish, personal suffering, and loss of enjoyment of life;

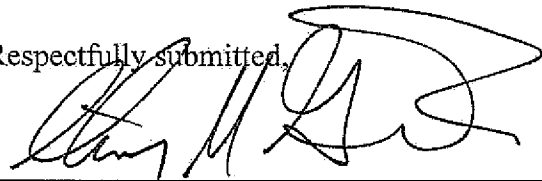
- e. Award Plaintiff the costs of this action, together with reasonable attorney fees; and
- f. Grant Plaintiff such additional relief as the Court deems just and proper under the circumstances.

**JURY DEMAND**

Plaintiff demands trial by jury of all issues triable as of right by jury.

Dated 4/30/18

Respectfully submitted,



**Anthony M. Georges-Pierre, Esq.**

Florida Bar No.: 533637

agp@rgpattorneys.com

**REMER & GEORGES-PIERRE, PLLC**

44 West Flagler Street, Suite 2200

Miami, FL 33130

Telephone: (305) 416-5000

Facsimile: (305) 416-5005

IN THE CIRCUIT COURT OF THE 11th  
JUDICIAL CIRCUIT IN AND FOR  
MIAMI-DADE COUNTY, FLORIDA

DANIEL D. PAREDES and other similarly  
situated individuals,

Plaintiff,

CASE NO.: 18-014049 CA 02

v.

PINNACLE A ROOFING COMPANY and  
ROBERT THOMAS,

Defendants.  
\_\_\_\_\_ /

**NOTIFICATION OF REMOVAL**

PLEASE TAKE NOTICE that Defendant, PINNACLE A ROOFING COMPANY, has this date filed a Notice of and Petition for Removal pursuant to 28 U.S.C. § 1446 in the office of the Clerk of the United States District Court for the Southern District of Florida. The federal court has jurisdiction over this matter in accordance with 28 U.S.C. §§ 1331 and 1441. A copy of the Notice is attached as **Exhibit 1**.

[REMAINDER OF PAGE LEFT INTENTIONALLY BLANK]

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that a true and correct copy of the foregoing was e-filed with the Court in accordance with Fla. R. Jud. Admin. 2.516(b)(1)(A) on July 5, 2018 to:

Anthony M. Georges-Pierre, Esquire  
Remer & Georges-Pierre, PLLC  
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BY



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Carlo D. Marichal  
Florida Bar No. 99034

# ClassAction.org

This complaint is part of ClassAction.org's searchable class action lawsuit database and can be found in this post: [Pinnacle A Roofing Company Named in Former Employee's Unpaid OT Suit](#)

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